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Wilmington Journal.

VOL. 22. WILMINGTON, N. C., THURSDAY MORNING, AUGUST 2, 1866. NO. 26.

TERMS OF ADVERTISING.

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North Carolina Agricultural House
AND
HARDWARE STORE.
MITCHELL, ALLEN & CO.,
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WATER STREET, WILMINGTON.
T. J. MITCHELL. GEO. ALLEN. D. T. CARRAWAY.
May 10. 14-tf

SHACKELFORD, HAAS & CO.,
COMMISSION MERCHANTS,
No. 159 Front St., New York,
No. 32 Water Street, Wilmington, N. C.
BUY AND SELL ON COMMISSION,
NAVAL STORES, COTTON, LUMBER, COTTON YARNS, &c., &c.
Constantly on hand, in Wilmington, and for sale at wholesale, a large assortment of FAMILY GROCERIES.
Sole Agents in North Carolina for the Sale of WHITTEMORE'S COTTON CARDS.
Refer to Messrs. J. Stiner & Co., 49 Vesey St., Messrs. Myers & Schaffer, 52 Broad St.
Feb 8 w 1 tf

C. E. WALLACE. J. B. SOUTHERLAND.
WALLACE & SOUTHERLAND,
GENERAL COMMISSION MERCHANTS,
OFFICE NO. 57 NORTH WATER STREET,
(Wharves and Warehouses foot of Walnut St.)
WILMINGTON, N. C.
☞ Will give prompt personal attention to all consignments of Naval Stores, Cotton, Spirits Turpentine, Rosin, Provisions, &c., &c., either for sale or shipment. Also, forwarding Merchandize, &c.
Feb 8 w 1-tf

BENNETT, VANPELT & CO.,
22 WHITEHALL STREET, NEW YORK.
SHIPMENTS OF COTTON, NAVAL STORES, PRODUCTIONS, &c., will be forwarded to us by Messrs. Wallace & Southerland, of Wilmington, who will pay revenue stamps and other charges. All goods covered by insurance, unless otherwise advised.
Feb 15 2-tf

S. T.--1860--X.
PERSONS OF SEDENTARY HABITS TROUBLED with weakness, lassitude, palpitation of the heart, want of appetite, distress after eating, torpid liver, constipation, &c., deserve to suffer if they will not try the celebrated

PLANTATION BITTERS,

which are now recommended by the highest medical authorities and warranted to produce an *immediate* beneficial effect. They are exceedingly agreeable, perfectly pure, and must supercede all other tonics where a healthy, gentle stimulant is required.
They purify, strengthen and invigorate.
They create a healthy appetite.
They are an antidote to change of water and diet.
They overcome effects of dissipation and late hours.
They strengthen the system and enliven the mind.
They prevent miasmatic and intermittent fever.
They purify the breath and acidity of the stomach.
They cure Dyspepsia and Constipation.
They cure Diarrhœa and Cholera Morbus.
They cure Liver Complaint and Nervous Headache.
They make the weak strong, the languid brilliant, and are exhausted nature's great restorer. They are composed of the celebrated Calisaya bark, wintergreen, sassafras, roots and herbs, all preserved in perfectly pure St. Croix rum. For particulars see circulars and testimonials around each bottle.
Beware of impostors. Examine every bottle. See that it has an unmutilated metal cap over the top of each bottle, and green label for exportation, around each neck.—See descriptive circular around each bottle.
P. H. DRAKE & CO.,
New York.
April 19 12-1y

Notice.
AT THE SOLICITATION of many of our friends in North Carolina, we have concluded to send a competent workman to repair our gins in different parts of the State. Parties who wish to avail themselves of his services will please leave their names with our Agents, Messrs. DROSSET & CO., Wilmington, and the workman will call as soon as he can reach them on his rounds, and in time to repair their gins for the growing crops. He will be provided with material for renewing any part of a gin.
W. G. CLEMONS, BROWN & CO.,
Cotton Gin Manufacturers,
Columbus, Ga.
July 5 22—1mw.
Tarboro' Southerner copy one month.

ALEXANDER SPRUNT,
COMMISSION MERCHANT,
Wilmington, N. C.
April 19 12—6m

State of North Carolina,
NEW HANOVER COUNTY.
Court of Pleas and Quarter Sessions, June Term, 1866.
Maria J. Hewlett,
vs.
Wm. D. Hewlett. Petition for Dower.
W. S. Hewlett,
Henry C. Hewlett.
ON MOTION, it is ordered, by the Court, that publication be made in the "Wilmington Journal," a newspaper published in the City of Wilmington, for six weeks, requiring Henry C. Hewlett, non-resident, to appear at the next term of this Court, to be held on the second Monday of September next, and plead or demur to this petition, and show cause, if any he has, why the prayer of the petition shall not be granted, or the same will be taken pro confesso, and heard *ex parte* as to him.
Teste, ROBERT B. WOOD, Jr.,
Clerk New Hanover County Court.
July 12 23—w6t.

Notice.
THE UNDERSIGNED HAVING QUALIFIED AS EXECUTOR to the last will and testament of Jno. Black, deceased, at June Term of the Court of Pleas and Quarter Sessions for the County of New Hanover, hereby gives notice to all persons indebted to said estate to make immediate payment, and those having claims against said estate to present them within the time prescribed by law, or this will be pleaded in bar of their recovery.
J. B. SEAVY, Executor.
July 12 25—w4t

State of North Carolina,
SAMPSON COUNTY.
Court of Pleas and Quarter Session, May Term, 1866.
Wm. D. Robinson, Admr., vs. Wm. D. Robinson and others.
WHEREAS, JOHN F. ROBINSON, Adm'r, has filed a petition in the Court aforesaid, against Wm. D. Robinson and others, to make real estate assets in his hands for the payment of debts; and it appearing to the satisfaction of the Court that Wm. D. Robinson is a non-resident, and the ordinary process of law cannot be served on him, this is, therefore, to notify said Wm. D. Robinson to appear at the next Court of Pleas and Quarter Sessions to be held for the County of Sampson, at the Court House in Clinton, on the 3rd Monday of August next, and plead, answer or demur, or judgment will be taken against him pro confesso.
W. A. MATTHIS,
Clerk County Court.
July 12 23—w6t.

A Card.
MR. JAMES McCORMICK TAKES THIS METHOD of returning his sincere thanks to the people of South Carolina, and especially of this city, for their liberal patronage and great kindness to him—extended during many years of business. He will be pleased to wait upon them or fill their orders for any articles required as Merchant Tailor, with more dispatch and enlarged facilities, at No. 35 Broad Street, Charleston, South Carolina.
JAMES McCORMICK,
Merchant Tailor, No. 35 Broad Street,
June 7 2w0&3tw Charleston, S. C.

The Great German Festival.
LOUISVILLE, July 24.—The fourteenth annual festival of the National Sængerbund Society commenced this morning. Forty-four Societies are present, embracing every large city in the Union. The city presents a holiday appearance, German and American flags floating in juxtaposition from public and private buildings. Every preparation has been made for the entertainment of many thousands of guests. The grand procession this afternoon was through the principal streets, under evergreen arches elaborately decorated, and finally reached the magnificent hall on Broadway, erected for the occasion, and occupied the stage. Mayor Letsgon eloquently welcomed the musical societies, and was responded to by Professor Hillman on behalf of the Sængerbund. Professors Sofolowski, Hart and Schollar directed the musical festivities.

STATE NEWS.

MASONIC.—A new Council of Royal and Select Masters have just been organized in this city M. D. The three principal officers are
John R. Harrison, T. Ill. Gr. M.
W. J. Palmer, Ill. H. of T.
A. P. Bryan, Pr. C. of W.
We are also pleased to state that a Lodge of Perfection, the first organization under the A. A. Rite in this State, will commence work in this city in a few days.—*Progress.*

DEATH OF JAMES MCKIMMON.—James McKimmon, Esq., long a merchant of high standing in this community, died at his residence this morning. We have known Mr. McK. for a long series of years, in fact from the day of his arrival into the city, and such had been the uniform, quiet demeanor of his whole life, that he naturally drew around him a great many friends. Thus, one by one, our old citizens are passing from this stage of action to eternity.

Since the above was in type, the following notice has been handed to us:

In accordance with the suggestion of some of our oldest merchants, there will be a meeting of the merchants and tradesmen of Raleigh this afternoon, at 5 o'clock, at the Court House, to consider the loss this community has sustained in the death of James McKimmon, Esq., which occurred this morning at 5 o'clock.—*Ral. Progress, 24th.*

THE LATE JAMES MCKIMMON.—A meeting of the Merchants and business men of the city of Raleigh, for the purpose of paying proper respect to the memory of the late James McKimmon, Sr., was held in the Court House on Tuesday afternoon, July 24.

T. H. Selby, Esq., was called to the Chair and Mr. S. H. Young requested to act as Secretary.

On motion, the following gentlemen were appointed a Committee to report resolutions expressive of the sense of the meeting, viz: Messrs. Jesse Brown, P. F. Pescud and L. E. Heartt; who, through Mr. Brown, submitted the following:

WHEREAS, This meeting has learned with profound regret, of the death of our esteemed townsman, James McKimmon, Sr., and whereas, we deem it proper to put on record our appreciation for his worth, while living, and our regard for his memory, now that he has departed from our midst; therefore

Resolved, That we deplore, as a public bereavement, the dispensation of Providence, which has removed our friend and fellow-citizen from his sphere of usefulness in this community.

Resolved, That as a citizen and a Merchant of long standing, he deservedly enjoyed universal respect and confidence, and that his unswerving integrity and devotion to the interests of the City of Raleigh, are worthy of emulation, and entitle his memory to be long respected and cherished.

Resolved, That we tender to the family our condolence in this, their heavy affliction, and earnestly commend them to the keeping of that God who has promised to be "a Father to the fatherless, and a friend to the orphan."

Resolved, That, as a tribute of respect to the deceased, we will attend his funeral to-morrow, in a body, and that our respective places of business be closed from 5 o'clock, P. M., for the remainder of the day.

Resolved, That a copy of these proceedings be sent to the family of the deceased, and published in our City papers.

Which were unanimously adopted; and then on motion, the meeting adjourned.

HONOR TO WHOM IT IS DUE.—A writer in the Raleigh *Sentinel* has been lauding Gov. Worth for the provision made to supply our crippled soldiers with artificial legs. We have no doubt that the crippled soldiers will always find in Gov. Worth a friend, and that the Governor's sympathies are as keen as most men's for the afflicted and distressed from any cause.

But the honor, or credit, or what we may please to call it, of inaugurating the movement which led to the supply of our gallant, crippled soldiers with good serviceable legs, belongs to another gentleman. The measure was not recommended by the Governor. It originated with one of our representatives in the Convention—Judge Manly.

We happen to know something of the history of this movement. When first started by Judge Manly, the idea was discouraged by men who thought and acted with him, as tending to confirm prejudices as to their *loyalty*. But the Judge reflected on the matter for a few days, and concluded that it was right and just, and being so ought not to be delayed. The measure was then introduced by him, and he pushed it through.
Newbern Commercial

The Ashville *News* says that more than sixty pupils have already entered the Holston Conference Female College in that town,—an auspicious beginning.

Exchange of North Carolina Bonds.
STATE OF NORTH CAROLINA,
TREASURY DEPARTMENT,
Raleigh, July 20th, 1866.

John Devereux, Esq., Raleigh, N. C.:

DEAR SIR:—Yours, requesting my views "whether there was, before the passage of the ordinance authorizing the conversion of State bonds into railroad stocks, any understanding that the State control of these works would cease *pari passu* with its interest," is received. You state that my "opinion on this point, although not having the validity of law, will influence the action of many."

Under the above announcement that "my opinion will influence the action of many," I feel some diffidence in expressing that opinion, but as a doubt in regard to the action of the State, in the contingency of a sale of stocks, will injuriously affect their price, I do not feel at liberty to withhold a frank answer to your inquiry.

I conversed frequently with the leading advocates of the ordinance, under which the offer for exchange of stocks for bonds is made, and there was not one, who did not assume, as a *matter of course*, that the State would surrender the control of the works *pari passu* with the sale of stock.

One of the arguments for the passage of the ordinance was that the railroads would be better managed when freed from the mutations in the Boards of Directors, incident to the biennial changes in the appointing powers. The chief argument used against the measure, was that by its execution, the administration of those works might pass into the hands of others than citizens of the State.

I happened to be in the lobby of the Convention hall when one of the delegates from Granville, (Mr. Grissom,) moved a reconsideration of the ordinance above mentioned, giving as a reason therefor, that it required amendment in the particular in question. One of the delegates from Orange, (Mr. Phillips,) a gentleman of large influence in the Convention, replied that if an exchange should be made, the surrender of the Directorship of the works would be effected, as a matter of course, by subsequent legislation.—Whereupon, without further debate, the motion to reconsider was defeated.

By section 3, of the amended charter of the Raleigh and Gaston R. R. Co., it is enacted, "That whenever the State shall transfer its stock, in whole or in part, the State shall have only one Director for every thousand shares, which it may retain in the stock of said Company."

I am not aware that there is any similar provision in the charter of other Railroad corporations. But that the State, after having sold its stock in works of internal improvement, should transfer the control, possessed only by virtue of its ownership, seems to me so manifestly required by good faith, that, in my opinion, purchasers may expect prompt action of the General Assembly to effectuate such transfer.

Very Respectfully,
KEMP. P. BATTLE,
Public Treasurer.

A COOL PIECE OF RASCALITY.—The residence of Mr. John Burgess, on Hancock street, was entered by a thief, yesterday evening, while his family were at supper, and his clock, and what other valuables the thief could get hold of, carried off. Some one of the family happened to hear him, and going into the room where he was, the scamp retreated precipitately.—*Newbern Commercial.*

AN OIL COMPANY IN NORTH CAROLINA—THEIR ORGANIZATION, MEANS, PLANS, PROSPECTS, &C.—GREENSBORO', N. C., July 24, 1866.—Knowing the warm interest you take in the resuscitation of the South and the development of our valuable resources, I submit for your information, and that of your readers, the following intelligence:

A company has been organized in Greensboro', North Carolina, for the purpose of boring for coal oil or petroleum.

This company has been incorporated by an ordinance of the late Convention under the name and style of "The North Carolina Petroleum and Mining Company." Capital stock, $500,000; shares, $5 each—20,000 shares appropriated for a working capital! This company has secured by warrantee title 130,000 acres of valuable lands, lying in the coal regions of Deep river and Dan river. These lands are valuable, not only on account of surface indications of petroleum, but also for large basins of rich bituminous coal, besides fine veins of copper and iron.

During the late war, and at the present time, a source of great profit has been the distillation of oil from this coal, and manufacturers obtain 56 gallons of oil from a ton of coal.

The "North Carolina Petroleum and Mining Company" have already commenced boring in the Dan river section with very flattering prospects of success. The operations are conducted by two experienced Pennsylvania oil borers, who have passed the last five years in the business. They express no hesitation in asserting their belief in the presence of petroleum at no great depth and in good quantities.

The officers of the company are—Cyrus P. Mendenhalf, President; E. P. Jones, Vice-President; A. G. Brenizer, Secretary; Henry G. Kellog, Treasurer.—*Cor. Richmond Whig.*

DISMAL SWAMP COMPANY.—In the Senate, Monday, the following joint resolution was passed:

Whereas, the United States are interested in the Dismal Swamp Canal, connecting the Chesapeake with the sounds of North Carolina, by holding eight hundred shares of the stock of the Dismal Swamp Canal Company; and whereas the canal should be kept open as a navigable highway without further outlay on the part of the United States; therefore be it

Resolved by the Senate and House of Representatives, That the Secretary of the Treasury be, and is hereby authorized to sell said stock at auction or otherwise, in such manner as will best protect the interest of the United States in said Canal, and will insure that the same will be kept open as a sure navigable highway, without further expense to the government, providing that the instruments and papers effecting such sale in the manner aforesaid shall be approved by the Attorney General before the delivery thereof.

RIPE GRAPES.—Mr. J. R. Franklin, who dates his letter from "near Morehead City," not being able, as he says, to send us first cotton bloom or boll, sent to us, yesterday, two or three bunches of ripe grapes. As Mr. Franklin did not learn the proper name of the grape from the person of whom he obtained the vines, he has named it the "Franklin grape." Mr. F. says he has three other varieties—the Scuppernong, the Catawba and the Isabella, but the "Franklin" is much the earliest.

He asks us to give the proper name if we know it. Our chief knowledge of the grape is confined to its effect upon the palate. These we have tried, and we think they are a superior variety. At all events, the 26th of July is very early for grapes ripened in the open air.—*Newbern Commercial.*

THE ODOM MURDERERS.—Six negroes have been arrested on suspicion of being implicated in the murder of Mr. Odom and in the rape upon his wife. We understand in the case of one or more of them the circumstances are strong.

We regret to have to state that Mrs. Odom, quite a young lady, is in a most disconsolate condition, and fears are entertained of the loss of her mind.—*Newbern Commercial.*

CONFIRMATION BY THE SENATE.—Chas. Manning has been confirmed as collector of customs for the district of Edenton, and Stark B. Smith as surveyor of customs at Windsor.

THE MAILS.—Saturday last, for the first time since the close of the war, a mail was delivered to the good people of Williamston by U. S. contract.

SMALL POX.—Small pox is prevailing to a somewhat alarming extent in Martin county.

The Governorship—Letter from General M. W. Ransom.

[From the Weldon State.]

NORTHAMPTON COUNTY, N. C.,
July 7th, 1866.

MR. EDITOR: I have observed that my name has been presented in the newspapers and in some public meetings, in connection with the gubernatorial election in this State; and, that my silence may not be misunderstood, I have thought it proper to declare that I cannot be a candidate for that office. I have come to this conclusion, from a deliberate conviction that the agitation of a political contest at this time, would do our State no good; its tendency would be to revive and embitter party passion; to inflame and divide the people and to weaken the influence of the State. The people of North Carolina, and, I may say, of all the Southern States, ought now to be a unit. There should be no division, no distinction or alienation in our purposes of action. It will require all our strength, our whole united energy, to assist the patriotic men of the country in maintaining the principles of constitutional liberty and preserving to us the right of self-government. Certainly, this is no time to think of personal advancement or party aggrandizement. The office of Governor of North Carolina is a position of the highest honor, and the ambition of any man might well be gratified to attain it, but I cannot seek it through the discord of the people and at the sacrifice of public harmony.

The recollections of the past; our common trials and sufferings; the sight of our desolated country; every virtuous consideration that can appeal to honorable men, ought to reconcile all thoughts of division among ourselves and bind us all together as brothers of the same blood. I cannot consent that my name shall go before the people in this election. If my poor services were required by my State; if I could harmonize the popular sentiment of North Carolina; do any thing to promote her interest or honor, to add to the happiness or pride of her noble people; if I could contribute to do justice to the memory of her gallant dead; to bind up the wounds and sorrows of her living patriots; to vindicate her fair fame before the world, I trust, that no personal considerations could induce me to decline the effort. But such is not now the case. A political struggle, with its agitation and strife, crimination and acrimony; the triumph of one party; the defeat of another; the harrowing up of our domestic troubles and afflictions, with all the evils of a divided, disconcerted, alienated public mind, would not accomplish these objects, but might prove a curse to the State from which she would not recover for years. Let not the shame of dissension rest upon the name of North Carolina. Let us sacrifice our differences in a common devotion to the good of the State and once more be united, fraternal North Carolinians, grappling together and determined to discharge the whole duty of North Carolina to the country: to "support and defend" her rights as a State, and above all personal, party and political considerations, through defeat, disaster and general calamity, to preserve her honor without reproach.

To the generous friends who have honored me with this expression of their confidence, I beg to return my sincere and grateful acknowledgments. Whatever may happen, I shall always cherish this testimony of their regard among the valued recollections of my life.

Very respectfully,
M. W. RANSOM.

Riot in Kentucky.
CAIRO, July 24.—A riot between whites and negroes, occasioned by a railroad conductor attempting to cut a button off a negro's coat, occurred at Columbus, Ky., on Saturday. Three or four negroes were killed, and several whites are missing. It is not known whether the latter were killed.

The Conspiracy to Hang Ex-President Davis—Bogus Evidence Before the Judiciary Committee of the House of Representatives—Determination of the Radicals to Fasten the Crime of Killing President Lincoln upon Ex-President Davis.

From the New York Herald.
WASHINGTON, July 21, 1866.

THE HERALD REPORT OF THE CONSPIRACY.

My disclosure, a few days ago, of portions of the evidence educed by the Judiciary Committee of the House of Representatives developing the diabolical conspiracy of certain radicals to implicate Jeff. Davis, by means of bogus witnesses, in the assassination of President Lincoln, and procure his trial and conviction by a military tribunal, occasioned in diverse circles here a variety of sensations and exuberancy of expression, both serious and amusing. The little bout in the House to-day between Boutwell, of Massachusetts, and Jack Rogers, of New Jersey, members of the said committee, resulting from the refusal of the former to allow the latter access to the testimony and papers before the committee, because, as Mr. Boutwell declared, some important portions of them had been communicated to and published in the New York Herald, has intensified the interest excited by my letter, and furnished "confirmation strong as proofs of Holy Writ" that my disclosures, astonishing as they were, were perfectly correct.

The secesh who sympathize with Davis and regard him as a martyr of a holy cause are highly incensed and vow vengence on the conspirators the moment their names shall transpire. All honorable men—republicans as well as democrats—are indignant at the cowardly attempt to murder Mr. Davis by a military commission and false testimony, and demand that the guilty parties shall be rigorously dealt with, if there is any law to reach their offence. The numerous radicals who are ever ready to justify any excess commited by any of their faction are chagrined and grieved at the *denouement*, and affect to doubt the guilt of their fellows, but declare that if they did as charged, the end in view justified the means, and that it is sometimes necessary to do evil in order that good may come. The conspirators themselves, or such of them as are here, are intensely alarmed, if one may judge from the long faces they wear and the extra attentions they bestowed on members of the Judiciary Committee for several days succeeding my disclosures and are now daily bestowing on Mr. Boutwell. The committee itself, at least the republican members thereof, are enraged at the unauthorized publication of their proceedings and the testimony and papers before them, which Mr. Boutwell avers they used great efforts to keep secret, and declared that either "The walls have ears" or that the Herald employs spright correspondents, who move about unseen in all their caucuses and committee rooms, appropriating their secrets, or else that somebody has outrageously betrayed their confidence.—Several parties, reporters and others, have been suspected of perfidy, and severely questioned.—But the suspicion of more than one member has fallen on Mr. Rogers, who, from the beginning of the investigation, has been satisfied of Mr. Davis' innocence, and endeavored by a rigorous cross-examination of the witnesses to impeach their testimony.

It is quite probable that the zealous efforts of Mr. Rogers to acquit Davis, whom one of the committee has provokingly denominated his "client," has contributed in some measure to unravel and break down the conspiracy; but it is certain that the Herald is not indebted to the New Jersey gentleman for the information it has promulgated and is about to add in regard to this interesting and mysterious affair.

JACK ROGERS IS NOT A HERALD REPORTER.

The suspicion that Mr. Rogers had furnished the startling intelligence to the Herald, and his subsequent employment of a rebel phonographer to assist him in examing the testimony and papers, furnished Mr. Boutwell with a plausible pretext for refusing him access to the records, especially as some of the papers in custody of the committee were "confidential papers of the War Department and could not safely be exposed to general examination."

THE CONFIDENTIAL PAPERS OF THE WAR DEPARTMENT.

The "confidential papers," however, I have high and unmistakable authority for stating, are nothing more or less than the depositions of "Campbell" and "Snevel," already published in the Herald, and of other bogus witnesses made for the Bureau of Military Justice, and of a state letter found in the archives of the rebel War Department addressed by a soldier to Jeff. Davis, proposing to dispose of Lincoln & Co., if authority and means were furnished him by the government to carry out his plans, together with a letter from Davis to Jake Thompson, rebel agent in Canada, expressing impatience that a certain project—not named, but supposed by some to be the assassination of Lincoln and his Cabinet—had not been carried out, and urging immediate action in the matter. These are the only papers in the custody of the committee that by any construction or distortion can be made to bear in the slightest degree against Mr. Davis.

BOGUS WITNESSES.

Campbell and Snevel, who it had been discovered by the friends of Davis, had made false depositions for the Bureau of Military Justice, implicating the accused, were, by a splendid manœuvre—a sort of flank movement—induced to go before the committee and acknowledge that their despositions were a tissue of lies from beginning to end. But the other witnesses for the said Bureau, who Campbell declares were bogus like himself, were not brought before the committee to sustain their depositions and submit to a cross-examination by Mr. Rogers; and as Campbell had confessed himself to be a perjured scoundrel, the committee have a right to reject his assertion that the other witnesses are bogus like himself, and to believe their deposition, which depositions form the most important "confidential papers of the War Department" that the committee have in hand.

BOGUS EVIDENCE OF JOHN PATTEN.

Two of these disposition-makers are men calling themselves John Patten and F. B. Wright.—The former, in his deposition, says that he is a native of Georgia, and is well acquainted with Mr. Davis; that during the war he was engaged in furnishing provisions and stores for the rebel army, having been excused from military service on furnishing a substitute; that in the latter part of June, 1863, an acquaintance of his named Lamar, also from the State of Georgia, informed him that he (Lamar) was about to enter upon an enterprise which if successful would immortalize and enrich, all who engaged in it, and at the same time invited deponent to join him; that at deponent's request Lamar explained the nature of the enterprise, which was to kidnap or kill President Lincoln; that deponent then inquired what plan had been devised and whether the government was cognizant of or had authorized the project; that Lamar replied that several high officers of the government were aware of and applauded it, and that he was assured by General Winder that President Davis also approved it; that he (Lamar) was to have an interview with Davis on the following day, when he would present his plans and learn his (Davis) decision. That deponent promised to enter into the scheme if the President should sanction it, and on the next day accompanied Lamar and Winder to Davis' office; that Lamar submitted a written plan for kidnapping Lincoln, and for killing him if it should be found impossible to carry him off alive; that Davis, after reading the plan, said he had never doubted that a small party of brave men could attack Lincoln in his stronghold and kill him, and perhaps make him prisoner and run him into the Confederate lines, but that he had felt some doubts whether such a proceeding would be recognized by the civilized world as honorable warfare; and as the emergency had not in his judgment arisen for resorting to such extreme measures he had dismissed several similar propositions without serious consideration; but that recently the enemy had committed the most barbarous outrages and shown an utter disregard of the laws of nations and the laws of war, and that he now felt not only justifiable in adopting the measure proposed, but that he would prove recreant to his duty to reject any scheme, however harsh, calculated to lay the enemy at his feet, or bring him to honorable terms of peace; that he (Davis) further observed that since this subject was first mooted before him he had become fully convinced on mature study and reflection that the President of the United State being the commander-in-chief of the army, it would be as proper and as fully in accordance with the laws of war to send a small party within the enemy's lines to capture or kill him as to do the same by any of his officers or soldiers; that he then complimented the plan submitted by Lamar and expressed the opinion that if it were resolutely acted upon success would be certain; that reference was then made on the subject of money to carry out the plot, when Davis said he would arrange that matter with General Winder, who would furnish from time to time such sums as might be required; that deponent and Lamar then left, and on the afternoon of the same day received a considerable sum of money from Winder and entered on the desperate business; that they engaged a number of reckless, but reliable men, who were to work themselves through the federal lines and take quarters in Baltimore and Georgetown and wait until called upon for action; that several days after said interview with Davis one of the parties associated with deponent and Lamar, named McCullough, was arrested on the charge of betraying their secret; that deponent and Lamar and another associate named Powell (supposed to be Payne, who was executed with Mrs. Surratt) called at General Winder's office to learn the facts of the case, and were there informed that the General had just gone to Davis' quarters in regard to McCullough's case, whereupon deponent and his companion also repaired to Davis' office; that they found Winder there, with the detective who had arrested McCullough, and that said detective was in the act of explaining to Davis the circumstances under which he made the arrest; that Davis then said to deponent and Lamar that it was to be regretted that they had associated with them in so important an enterprise a person of McCullough's habits, and that he hoped they had confided in no more of the same character; that the blockade runners who had heard McCullough's boasts might be yankee spies, as many of their class were, and that he feared the project might be communicated to the authorities at Washington and frustrated; that the utmost haste must be used in putting the scheme into execution or failure would be certain; that the blow should be struck at once; that General Winder, who was in a rage over the conduct of McCullough, added, "Yes, you must strike at once; bring the d—d baboon here, dead or alive, as soon as possible; if you can't fetch his whole carcass bring his d—d scalp;" that Davis, with a smile, interrupted Winder, observing, "Gentlemen, you will not forget the directions I have already given you, I prefer that you should, if possible, capture Mr. Lincoln and bring him within our lines without injuring a hair of his head; but if you find it impossible to capture him, it is your duty to destroy him if you can reach him, the same as you would any officer or soldier in his service; and if you succeed in making him prisoner and find there is danger of his being recaptured, you will take care that he does not return to Washington alive: but let me again adjure you to lose no time; if a knowledge of your intentions reach Washington your labors will be in vain; and the surrender of Vicksburg to Grant, and the defeat of Lee in Pennsylvania, who is being driven back on our capital, render it necessary, as perhaps the only means of saving the country, that the enterprise should be carried out at once; go on, and if successful, you will be hailed as the saviors of your country, and receive unbounded reward;" that deponents then said they were prepared to strike as soon as they could get North with the balance of their party, who were already engaged and eager to start, but that they should require more money for operations when they should get to Washington; Davis replied, "Yes, that is all right; that the General (referring to Winder) would see to that;" that on the same day Winder furnished them with a large sum of money, and deponent, Lamar, Powell and others, started for Washington; that on arriving North they found that many of the men forwarded by them had been arrested and confined in the Old Capitol and other prisons, on suspicion of being spies, and that they were obliged to abandon their undertaking.

BOGUS EVIDENCE OF F. B. WRIGHT.

The witness, Wright, in his affidavit for the Bureau of Military Justice, deposed that he was a native of Nova Scotia; that in 1862 he went to the Confederacy, running the blockade into Wilmington; that for a time he was engaged in speculating in provisions and military stores, but that in the beginning of 1863 he was employed by General Winder, in Richmond, as detective; that in July, 1863, he learned from Winder that there was a project on foot to kidnap, and, if necessary, to kill, President Lincoln; that one evening shortly afterward, while passing a public house, he heard boisterous talking within, and on entering found a man named McCullough, half inebriated, boasting to some blockade runners that within a month the old rail splitter would be in Richmond cutting wood to cook the Yankee officers' rations at the Libby; that knowing McCullough was betraying an important secret of the government, he, as was his duty, arrested and confined him in Castle Thunder; that on the following day he was informed by Winder that the President was exceedingly annoyed at the arrest of McCullough, as his father, a very wealthy and influential man had interceded with the President in his behalf, and had represented that his son had been arrested maliciously and without cause, and that he (Winder) wished deponent to accompany him to Davis and explain precisely what he had heard McCullough say and all the circumstances under which he had made the arrest; that thereupon deponent and Winder called upon Davis, when deponent, at his Excellency's request, made the desired explanation; that while they were talking on the subject three men named Patten, Lamar and Powell called in relation to the arrest of McCullough.

The deposition then proceeds to recount what was said and occurred by and between Davis and the other parties referred to, and corroborates in almost the precise language the account given in Patten's affidavit of his second interview with the rebel chief.

Thus it will be seen that the aim of the conspirators was to fasten upon Davis a murderous design as far back as 1863, by making him a party to a plot at that time for the killing of the President, a fact which, if established, it was supposed would, taken in connection with the testimony the perfidious Campbell and Snevel were expected to give, leave no doubt in the minds of a court of the guilt of the accused. The affair was so ingeniously contrived that it would be impossible to contradict these witnesses, Winder and Powell (Payne) being dead and Lamar being only a myth.

But Patten and Wright, as I have already remarked, were not brought before the committee to sustain their affidavits, and the committee, or the republican members thereof, have decided to believe their depositions, the "confidential papers of the War Department," notwithstanding "Campbell's" assertion before the committee that the deponents were hired bogus witnesses like himself.

The depositions of these men, of which I have given you a very full synopsis, furnished the only evidence against Mr. Davis in the hands of the committee, the two letters referred to, and other stuff called evidence, being of no importance whatever. Any lawyer would as soon think of putting "the man in the moon" on trial on the strength of such evidence as of putting Mr. Davis, and the committee while it will profess to believe Davis guilty will fail to recommend that he be brought to trial. The radicals, whose machinations have been unmasked through the laudable treachery of Campbell and Snevel have abandoned their murderous designs, and are now employing the Judiciary Committee, pliant tools as could be desired, to hide the evidence of their iniquity and screen them from the opprobrium they deserve. Mr. Rogers is not permitted to examine the testimony, because in fact that of Campbell discloses the names of some of the radical conspirators; he is not allowed to examine the papers because the depositions of Patten and Wright, upon which the committee have to found the opinion of Davis' guilt, will not, on their face, bear legal scrutiny. These heartless radicals, since they cannot have the pleasure of hanging the unfortunate rebel, are determined, if possible, to stab his reputation and render him infamous in the eyes of honorable men.

Mr. Boutwell, in his report, will admit, for he will be bound to notice and admit, that Campbell and Snevel, who made depositions for the Bureau of Military Justice of more importance, supposing them to be true, than all the rest of the evidence in the case put together, were induced to confess before the committee that they had sworn falsely from beginning to end, and were engaged and paid for doing so by an agent of the government; and all the ingenuity and skill of the learned gentleman will then be summoned to shield his radical friends from responsibility and blame, and render plausible the proposition that the fact that these two scoundrels were suborned and swore falsely in the matter furnishes no just grounds for rejecting or suspecting the testimony of the other witnesses; but let it not be forgotten that Campbell says the other witnesses were suborned also.

DREAMING IN THE TRENCHES.

BY W. GORDON M'CABE.

I picture her there in the quaint old room,
Where the fading firelight starts and falls,
Alone in the twilight's tender gloom,
With the shadows that dance on the dim lit walls.

Alone: while those faces look silently down
From their antique frames in a grim repose—
Slight scholarly Ralph, in his Oxford gown,
And staunch Sir Allan, who died for Montrose.

There are gallants gay in crimson and gold,
There are smiling beauties with powdered hair,
But she sits there, fairer, a thousand fold,
Leaning dreamily back in her low arm-chair.

And the roseate shadows of fading light,
Softly clear, steal o'er the sweet young face,
Where a woman's tenderness blends to-night
With the guileless pride of her knightly race.

Her small hands lie clasped in a listless way,
On the romance which she holds on her knee,
Of "Trystam," the bravest of knights in the fray,
And "Iseult," who waits by the sounding sea.

And the prond dark eyes, wear a softened look,
As she watches the dying embers fall;
Perhaps she dreams of the knights in the book,
Perhaps of the picture that smiles from the wall.

What fancies, I wonder are thronging her brain,
For her cheeks flush warm with a crimson glow,
Perhaps—ah! me, how foolish and vain!—
But I'd give my life to believe it so!

Well, whether I ever march home again,
To offer my love and a stainless name,
Or whether I die at the head of my men,
I'll be true to the end all the same!

From Louisiana—Immense Johnson Meeting—Philadelphia Convention Endorsed—Threatened Anarchy.

NEW ORLEANS, July 24.—An immense Democratic meeting was held to-night, and ratified the nominations of the State Committee. Resolutions were adopted deprecating the motives of the amendments of 1864, and stating that it is the duty of the law officers of the State to take such steps as the occasion demands to save Louisiana from the anarchy which threatens her because of the reckless misconduct of unworthy citizens and pretended patriots; that Louisiana pledges herself to the honest support of Johnson's policy. The Philadelphia Convention is fully endorsed.

The speakers were very severe on the Radicals, and secession was denounced and emancipation accepted.

Some few cases of sickness, believed to be cholera, are reported among the troops recently arrived, but these have been removed from the city.

From Vermont—The Philadelphia Convention.

MONTPELIER, VT., July 24.—The Democratic State Committee met at Burlington to-day, every member being present. Hon. T. P. Redfield, of Montpelier, Hon. Henry Keyes, of Newburg, Edward J. Phelps, Esq., of Burlington, and Hon. Giles Harrington, of Alburgh, were appointed delegates to the Philadelphia Convention, with Hiram Atkins, of Montpelier, Henry Chase, of Lyndon, Bradley B. Smalley, of Burlington, and Edward F. Perkins, of St. Albans, as alternates.

The Reported Disturbance on the Eastern Shore of Virginia.

FORTRESS MONROE, July 23.—The United States tug Geneva returned yesterday morning from the scene of the disturbance on the Eastern Shore of Virginia, near Drummondtown, between the inhabitants and the negroes. From the statement of the officer in charge of the detachment of troops sent over to preserve order, it appears that the trouble originated in a band of white men hunting down some of the negroes for the purpose of searching for one named Couch, who a few days previously had attempted to cut the throat of a white man, and robbing them of their arms and money. Complaint was made to the civil authorities, and warrants issued for the arrest of eleven of the men committing the outrages upon the negroes.

The 14th instant was set apart for the hearing of the case, at a village named Woodstock. On that day about one hundred well-armed white men assembled, swearing they would kill every negro who attempted to testify, and threatened the magistrate, Mr. Dix, with violence if the proceedings were gone through with. The magistrate seeing the State of affairs, endorsed upon the warrant for the arrest of the parties the impossibility of conducting the trial under such circumstances, and gave it to Major French, the agent of the Freedmen's Bureau. This latter officer advised the negroes to quietly return to their homes, and while doing so were again assaulted and pursued by the armed whites, until they reached a place of safety.

Upon the arrival of the troops from the fortress they all dispersed in every direction

THE WILMINGTON JOURNAL.

WILMINGTON, N. C., AUGUST 2, 1866.

The Late Convention—Its Powers.

In a late number of the *Journal*, we stated that we were opposed to the ratification of the new Constitution, among other reasons, because it had been proposed by the late Convention. We propose, to-day, to examine, at such length as our space will permit, the authority of the Convention to legislate for the people of North Carolina.

We are glad to see that this question is beginning to attract attention and to excite discussion. A more important one has never, at any time, been presented to any people. Sooner or later it must be judicially ascertained, for there are too many cases that will hinge upon it, to allow it to remain undecided. When it does come up squarely, we feel sure that it will receive that consideration which its importance and the well known character of our Court entitle us to expect.

We published last week a letter of Col. Allen, in reply to the letter addressed to a delegate of the late Convention, and it will give us pleasure to publish the opinions of other gentlemen of the bar. Colonel Allen does not, however, take issue with the positions laid down in the letter upon which he comments. He says the argument "is founded purely upon the ground that the Convention was constituted by the President in his military capacity and that the Constitution was legally in force in the State and binding upon the people." As an original proposition of law, he confesses frankly he has not yet been able to see his way clearly enough to satisfy his own mind as to the latter part, and therefore ignoring the maxim, *justicia est una colum*, he directs his objections to the inconvenience arising from that view of the case. As to the first part, his conclusion is, that there is a difference of opinion between the writer of the letter and the President, and that, while he declines to say whether he thinks the President right in this particular, he prefers to yield the position he has assumed. We presume, therefore, that he does not intend to be understood as arguing the question upon its merits. Indeed we have seen no argument sustaining the validity of the authority claimed by the Convention upon its merits.

Now, the old Constitution was legally in force or it was not. If it was, then the Convention was extra-constitutional and illegitimate, not having been brought into being under the sanction of the law—in a word, a *bastard*, and its so-called ordinances are of no binding force. Has the defect in its birth been cured? What tribunal has authority to cure such defects—to legitimate such offspring?

If the old Constitution was not legally in force, how did it loose its vitality? It was confessedly at one time the law of the land, and from the day of its adoption had been recognized as such, and as republican in form, by every branch of the Government, judicial, legislative and executive, both State and Federal. If it was in existence and republican in form, then clearly the 4th section of the 4th article of the Federal Constitution conferred no authority upon the President in the premises—gave him no right to declare us deprived of all civil government, or in any way to interfere with it. Is it claimed that it was lost by forfeiture for treason, as though a corporation that had, upon a *quo warrando*, been ascertained judicially to have violated its charter? If our State was a corporation and the Constitution its charter, who granted it? who had the right of visitation? before what tribunal could the *quo warranto* be tried? who could bring it, and who would be the defendant in the case?

But suppose it is a corporation in law. If we mistake not, Blackstone declares "a corporation cannot commit treason or felony or other crime in its corporate capacity, though its members may in their individual capacities." Can a State, though not a corporation in law, commit treason? If it can, there would surely be some tribunal before which its guilt or innocence could be judicially determined; otherwise such treason could be committed with impunity, as legally no punishment can be inflicted until the guilt is legally ascertained. Where is the tribunal before which a State can be judicially arraigned for trial? Until such be shown, is it not fair to conclude there is no such offence as treason by a State known to the law?

But it may be claimed that the old Constitution ceased to exist by virtue of the military conquest, on the principle that the conquest of a country works the repeal of all its laws. Admitting for the sake of the argument, that it may strictly be the letter of the law, that a State "may be treated as a conquered country," to use a common expression, though Vattel does not regard the doctrine as "countenanced by reason or conformable to humanity," was not the old Constitution restored, except so far as it had been modified by the Convention at its first session under the direct authority and approval of the President, by the Peace Proclamation, as it is called? In fact, previous to the issuing of the Peace Proclamation, the Convention had acted entirely upon the ground that the Constitution was in full force and effect, and began their legislation by making amendments thereto, and filling offices and ordering elections thereunder, all of which had the direct approval and endorsement of the President.

If there was a conquest, and by it Constitutions and laws were abolished, it is clear we must look to the Conqueror for new ones, and whatever Government and laws we may have must have received vitality from him—if old ones should chance to be reordained, they are binding only because he wills it and not because of any pre-existence. The Conqueror directed a certain class of individuals to select men to meet in Raleigh, to prepare a form of government for the State, in conformity with conditions prescribed by him, precedent to its being made a part of the Federal Government, and in this view of the case it would not make any difference if the President had nominated the members of the Convention himself.

These men met in Raleigh and proceeded to action. Their acts were subject to the approval and revisal of the Conqueror and not to the people of North Carolina, and in point of fact, they did change their action in conformity to his express direction. They declared, in effect, as we previously remarked, the old Constitution to be in operation, and provided, by proper means, for the appointment of officers thereunder, and having performed such other things as were required of them, adjourned temporarily. The proceedings having been communicated to the Conqueror, he, when to him it seemed fit, approved them, and, by his public proclamation, gave official information of the same. Whereupon the old Constitution, except wherein its provisions had been modified, became the law of North Carolina. The Convention was then *functus officio* and all of its subsequent action invalid. In other words the assent of the Conqueror to their proceedings worked the dissolution of the Convention, inasmuch as by his proclamation, he gave laws to the State, with which the authority claimed is utterly inconsistent. From thenceforth the so-called Convention became an assemblage of private individuals, unknown to the law, and their wishes and views entitled to no more consideration and respect than those of a like number of other private individuals of equal honesty and equal intelligence. In this view of the case, all legislation since the Proclamation, is of no avail, and probably all previous thereto which was not, either expressly or by necessary implication, approved. In no view of the case, have we as yet found ourselves able to point out the authority for the power claimed and exercised by the late so-called Convention. Our space forbids further remarks to-day.

The Election.

The people of the State will be called upon to-day and the two subsequent days, being Thursday, Friday and Saturday, the 2d, 3d and 4th insts., to vote for the ratification or rejection of the new or amended Constitution. The usual apathy which has heretofore marked our people since the war in reference to elections, exists now. We are heartily glad that more attention is paid to the healthy restoration of our country than to unnecessary and unprofitable political dissentions. But the election which begins to-morrow is one of more than ordinary importance and soars above the usual political questions of the day.—We doubt if the people of North Carolina ever had to vote upon questions of more importance. We are called upon to adopt a new fundamental law of questionable propriety and doubtful origin. We have attempted in these columns to show both the want of power on the part of the Convention to alter the Constitution and the objectionable features of many of the proposed amendments, and we are glad to have been assisted in our efforts by the publication of letters on the subject from some of the ablest men in the State.

We are firmly of the opinion that the Convention had no power to alter the Constitution, and certainly, if this be so, the ratification of the new Constitution by the people at the ballot box, will not cure any defect in the authority of that body. The people of North Carolina, by the Constitution now in force, have deprived themselves of the privilege of altering their fundamental law except by modes expressly laid down therein. The approval then of the amended Constitution, this week, by the people will transfer this matter to the Courts. Too many and too great rights and interests are involved in this question to prevent an early appeal from the decision of the people.

The citizens of North Carolina, if they desire their Constitution amended can effect it in a legal manner and by representatives of the whole people, and should not vote to ratify one forced upon them by a self-constituted body elected by certain persons designated by the Government of the United States through Governor Holden. How can that deserving and large class of our citizens who were excluded from voting for delegates to the Convention be dragooned into the adoption of their work? How can those who saw their neighbors and friends, some of the best men in the State, excluded from voting sanction their ostracism by fixing on them a Constitution—an unalterable law—imposed on them by a body in which they were not heard and from which they were expressly excluded by irresponsible military power or its subordinate and servile instruments? How can the independent voter accept an instrument tendered to him under the name of a Constitution of North Carolina, which the people of North Carolina did not make, and which was made for them by men in the guise of our representatives, who were not our representatives, but those of a power exercising at the time the authority of a Congress in military possession of our territory and arrogating to itself the right of superceding all our civil officers and abrogating our laws?

No, let us scornfully reject this work of an unconstitutional body. If our Constitution needs amending, let us at the proper time, when our people are freer and more independent to act as their interests dictate; when their minds are undisturbed by outside influences, and national troubles and terrors, let us elect men, under the modes specified by our Constitution, who will be the representatives of the people chosen after a free and full discussion of the amendments proposed to be made. In other words, in the language of the able letter we published some days since, *we will make a Constitution for ourselves*, and not another for us.

It is necessary for the people of the Eastern portion of the State, if they desire to defeat this instrument, to turn out in full force. In the West delegates to the late Convention are not only issuing stirring appeals to their constituents to rally to the support of the new Constitution, but in many counties they are canvassing in favor of its adoption. No questions in reference to the powers of the Convention arise with them; no analysis of the propriety or improvement of the proposed amendments is made; all the other changes are ignored in consideration of the great object of that section of the State to change the basis of representation. These delegates grow eloquent over the propect of increasing political power without a relative increase of taxation and new aspirants for legislative honors become enthusiastic in the early expectation of the realization of their hopes. Each differ as to the amount of strength the proposed amendments will deprive the East and transfer to the West, and the greater the calculations foot up, more enthusiastic because the advocacy of the new Constitution. We sincerely trust, therefore, that the apparent indifference to this election is not real. That while no excitement exists, the very silence of our people is indicative of their earnest determination to vote against this new Constitution. We hope not only to see a unanimous but a full vote. Let every body vote REJECTION.

The "Progress" and the Governorship.

The *Sentinel* of this city, the *Journal* at Wilmington, and the *American Eagle*, at Louisburg, *et id omne genus*, have either directly or indirectly intimated that the *Progress* was either solicitous or willing to present opposition in the next gubernatorial canvass to the present incumbent, Gov. Worth.

The above is extracted from an article in the Raleigh *Progress*, in which the editors of that paper speak of the "hue and cry" against the *Progress* for its attempts to get out a candidate in opposition to Governor Worth. So far as this paper is concerned there is an evident mistake. We published as a matter of news some days since, and in justice to the gallant gentleman concerned, that General Wm. R. Cox was spoken of by the *Progress* as a candidate for Governor, and treated the announcement as we did that of General Ransom, as ill-advised at this time on account of its certain tendency to divide our people when all should be united. We knew the two distinguished gentlemen whose names were used in this connection, and felt confident that they did not desire to do aught to jeopardize the true interests of the State. General Ransom has already, by his published letter, taken the same ground in reference to this matter as held by this paper, and we doubt not should General Cox feel called upon to write a public letter, his position will be the same. We can say to our friends of the *Progress* that from the long and intimate personal and political relations existing between these gentlemen and ourselves, that when they place their names before the people of North Carolina for gubernatorial honors, they will expect as honest, and possibly as efficient, support from the *Journal* as from the *Progress*, at Raleigh, *et id omne genus*.

The Wilmington Memorial Association—A Suggestion.

No one whose heart is not callous to every tender emotion can read the touching appeal we published yesterday from the President of the Memorial Association, without feeling a warm sympathy with the grateful purposes of the organization.—We take it for granted that our people universally approve of and desire to assist the ladies of Wilmington in the accomplishment of a work so grateful in its conception. Throughout our grief-stricken country, the ladies have shown a tender regard for the graves of our fallen heroes not inferior to the care they bestowed upon them in the hospitals or the pride with which they watched them on the field.

To carry out the objects of the Association, means must be supplied and in amounts possibly greater than can be furnished by the private subscriptions of our citizens. The terrible ruin and devastation which has swept over the South has left its mark upon our people. Their pecuniary condition, added to the high prices of all the necessaries of life and the exhorbitant demands of the tax gatherer, will not permit them to respond fully to their feelings. So means must be adopted to appeal to those who are not thus situated—in other words, let the ladies inaugurate a series of entertainments that will interest not only those who feel a sympathy for their undertaking, but also, those callous to their success. This course has been pursued with much success elsewhere.

Recently in Raleigh, Mr. L. P. Wheat, the distinguished musician, who has performed with marked success before many of the crown heads of Europe, at the request of the Memorial Association of that city gave one of his delightful concerts, assisted by some of the young ladies, with great success. Mr. Wheat is the youngest son of the Rev. Dr. Wheat, formerly of our University, and one of its most popular Professors. There are but few of the graduates of the University, while Dr. Wheat was a Professor, who has not received at his hands or that of his accomplished family, many marks of kindness, especially if he was so unfortunate as to have been sick during his sojourn at Chapel Hill, and all such well remember little Leo, who is now grown, and has already distinguished himself as a musician. Mr. Wheat's sympathies are enlisted in the cause, and as the objects of his concerts carry him to the brilliant but bloody fields of Cold Harbor and Shiloh, his touch must grow light and his tone solemnly eloquent as he remembers the fate of two brothers whose careers in arms were as billiant as they were short. "Bury me on the field," exclaimed the gallant Major Wheat at Cold Harbor, as he fell, but not too early to see his gallant Louisianians carry the battery they had thrice charged.

We have no doubt Mr. Wheat would respond favorably to a similar invitation here, and we think we can safely promise him a warm reception by our citizens. His own merits would add strength to the appeal upon the sympathies of our people.

The ladies at other places have also invited lecturers, and have not only by this means furnished instructive entertainment, but have realized large amounts of money. It will be seen by a reference to our advertising columns that General R. E. Colston intends to become a citizen of our State, taking charge of the Military Academy at Hillsboro'. We have not a doubt but that he can be prevailed on, before he enters on his duties in October, to repeat in our city, for the benefit of the Memorial Association, his celebrated lecture on General STONEWALL JACKSON. He has delivered his lecture in Baltimore, Richmond, Petersburg and other points with much success, and we feel confident he would do so here. We know of no one who could better portray the life and character of General Jackson than General Colston. A Professor with him for several years at the Virginia Military Institute before the war, he was throughout the military career of the great Commander, one of his favorite and most trusty officers, rising to the command of a Division at the engagement at which General Jackson received his fatal wound. We bespeak also for General Colston a reception suitable to the sacred objects of the ladies, worthy the memory of the eminent soldier he honors, and one which his own merits deserve. A soldier himself, and frequently in command of North Carolina troops, there would be added to the love and veneration he has for the memory of his Commander, the sorrow he feels for the loss of his gallant followers, to inspire him.

We know that our ladies will do all they can to accomplish the sacred purpose of their organization, and these suggestions are thrown out by a heart strongly sympathizing with them. Their labors are not easy to accomplish, but we feel confident, under the care of their affection and zeal, the graves of our dead will not only be preserved from neglect, but will frequently be adorned with the tear-bedewed garlands of love and gratitude.

Quarantine—Notice to Mariners.

We learn that the *military* quarantine station at this port has been discontinued. Mariners will do well to bear in mind that the city or local laws are not effected by this order, and that a certificate from Dr. R. S. Primrose, Port Surgeon, is still necessary to enter the harbor. Masters of vessels entering the port without such certificate incur a heavy penalty.—*Newbern Commercial.*

Why is it that at the same time that the *military* quarantine has been discontinued at the neighboring port of Newbern, that by order of the Military authority, the *civil* quarantine has been discontinued here? Can it be possible that General Sickles is punishing us because our people were justly indignant at his arbitrary exercise of authority in suspending our quarantine regulations? Such total disregard of the wishes and welfare of the people; such puerile trifling in matters of serious moment; such an evident want of purpose; such prostitution of official position to personal ends is very properly bringing the agents of the Government into disrepute. It is not every officer of the United States Army who, either in his civil or military capacity, has now such an enviable reputation, that he can afford to entirely disregard public opinion and the current history of the times.

THE NATIONAL BANK IN NORTH CAROLINA.—The First National Bank of Wilmington, N. C., was organized yesterday with a capital $100,000. This is the fourth National Bank organized in North Carolina. The application was on file ten months ago.

Wilmington Correspondence N. Y. Times, 27th inst.

We are glad to see that the building formerly occupied by the Bank of the State of North Carolina is being refitted for the new Bank.

The New Constitution.

In addition to our editorial upon the subject of the late Convention and the new Constitution, we desire to call the attention to the letter of "A Citizen" to be found in to-days paper.. It will repay a careful perusal. Its author, a lawyer of great ability, handles the subject with a master's hand. The questions treated are of the most serious moment, and as we are called upon this week to vote upon the question of the ratification of the Constitution, our people cannot too seriously consider it.

HON. GEORGE DAVIS.—Several days since we clipped from the New York *Herald* the announcement of the pardon of the Hon. George Davis, of this city. Upon inquiry we learned that the distinguised gentleman referred to had no official information concerning the matter and we refrained from making any reference to it. We are happy now to announce that Mr. Davis received his pardon day before yesterday. We are confident that all North Carolinians will receive the news with much gratification. Throughout the South, by all who honor devotion to principle, honesty of purpose, lofty patriotism and eminent abilities, the intelligence of the pardon of the Attorney General of the late Confederate States will be received with pleasure.

Mr. Davis has shown by his faithfulness in discharge of his duties towards the Confederate Government, the best and surest evidence of his worthiness to receive the Executive pardon, having taken the oath to support the Government of the United States. Even the Northern people are beginning to learn that those who were true to their section and State, in times of danger and necessity, are now the men who can be relied on when pure patriotism and manly courage are required. We congratulate our distinguished fellow-citizen, and can assure the President that a more worthy gentleman or useful citizen has never been the recipient of his clemency.

SOME BEET.—During the Cass and Butler campaign we were presented with some Beets, which the donor named "Cass and Butler" Beets, and it turned out that those gentlemen were actually beaten. We have now to record the receipt of a Beet that cannot be beaten, and we name it a "Union" Beet. This Beet has come to hand labelled "Mrs. W. W. Faison, Duplin county, presented to A. L. Price." Now we cannot tell at this writing whether our "Union" Beet will be beaten or not. We must wait and see the result. It weighed just ten pounds and a half yesterday morning, and measured thirty inches in circumference, is of the flat species. It will require some time to cook the vegetable, but as we have recently put up a new cooking stove, it is possible the cook may be able to get it warmed through in the course of human events. We hope our present Beet is the omen of beating the Radicals of the present day—if we were not successful in 1848.

We find, by reference to our files, that our "Cass and Butler" Beet exceeded the present one, being just six pounds more weight, and was grown by Mr. R. M. Bourdeaux, on Rocky Point, in the year 1848.

DELICIOUS GRAPES.—We are under obligations to our friend Mr. Louis Froelich of Kenansville, for a present of most delicious grapes from his vineyard. The varieties sent us being the "Jona," "Rolender" and "Black Hamburg." From the specimens sent us, we are convinced that the soil and climate of Duplin must be most congenial to the culture of the Grape, and Mr. Froelich certainly understands their cultivation. The Wine from this fruit must be very superior, as the "raw material" is most excellent. We look hopefully for the success of Wine making in Duplin.

BEAUFORT, CARTERET CO., July 25th, 1866.

Messrs. Editors Wilmington Journal:—

I have just returned from Onslow, where I witnessed the examination of Miss Ireland's school, and so interesting and emulous were the exercises, I deem them not unimportant and ask for them a place in your most excellent paper. It is always pleasant to meet kind friends, especially after a considerable absence, but to meet them in the instruction of our youth, in the inculcation of those lessons and principles which in after life shall make us feel proud and confident as we intrust into their hands the destiny of our country, it is too little to say that that pleasure is doubly enhanced. After four years prostration in which the wheels of science have been so effectually clogged, it is exhilarating to witness our people, impoverished by a most desecrating war, manifesting a sense of duty so important as that we had the pleasure and gratification to behold a few days ago. For several months in the quiet and pleasant neighborhood of Col. Ed. W. Fonville's, under the efficient instruction of Miss O. J. Ireland, of Duplin county, the youths of that section have been imbibing at the Pierian fountain of knowledge. No display, no far-spread reputation unfurled its blazoned folds to a credulous and patronizing country, but confined to a single neighborhood worthy the proud emulation of the most honorable aspiration, patrons and friends, teacher and pupils vied with each other in the zealous performance of duty.—Conscious of the power of knowledge, patrons readily and cheerfully gave the influence of their encouragement.

Sensitive of the importance of the trust imposed in her, the teacher applied the persuasive characteristic of her sex, to the exalting task of storing with useful wisdom, the pliant minds and hearts of Wolf-Pitt's promising youth. And the pupils with the kindest respect for their teacher, love for their parents, honor and credit to themselves, assidously and with untiring zeal, sought to please the one, honor and benefit the other.—After eight months on the 19th inst., we see assembled at their school to note its improvements, many of Onslow's fairest, wisest and best. Though the day was excessively warm, its unpleasant temperature was forgotten amid the absorbing interest of the occasion. The morning exercises consisting of speeches, dialogues, compositions, vocal and instrumental music with the usual textbook examination, lasted about noon, and was equal if not superior to any thing of the kind it has been my fortune to witness. The speeches were all delivered, the dialogues were full of attracting interest, while the compositions and vocal music I regard as unequalled by pupils of corresponding age.

About noon a recess of an hour or so was given, during which the company were invited to partake of those very palatable refreshments, which in this neighborhood so plentifully abound, and which its generous people always remember to offer.—The important features of the evening exercises consisted of a Valedictory by Miss Fonville, and an address to the school on the subject of Education, by Dr. E. W. Ward. The Valedictory reflected enviable credit on its author, both in the beauty of its composition and the manner it was spoken. The Dr. exhibited his usual marked ability on such occasions, and interested us all in his clear, forcible and eloquent style of address. In a word, the whole was an admirable success, and so meritorious was each part performed it would be invidious to make discrimination. Wolf-Pitt may well be proud of her promising youth, and with her generous and noble hearted citizens, her beautiful daughters, possessing every virtue which could attract the vision, allure the heart, or command the soul from a basis whose magnificient superstructure towers pre-eminent.

May her rewards equal her merits.

Lest I should weary your patience, Messrs. Editor, and seem to indulge in that which I hate above all other deceits, flattery, I will close my letter already twice as long as I intended.

Yours very Respectfully,

T. W. S.

ALAMANCE.—Judge Fowle has just held a special Court of Oyer and Terminer at Graham, Alamance county. Two important cases were disposed of.

In the case of Allen Foust, charged with assault with intent to commit a rape: Verdict, guilty; judgment, four months imprisonment, one hour in pillory, 39 lashes, 24th July, 39 in September, 39 in October, and 39 in November.

In the case of the State *vs.* Milton Isely, charged with rape: Verdict guilty; judgment, to be hanged on Friday, August 3rd.

It is thus that our civil Courts and Judiciary are to become a terror to evil-doers, and a praise to them that do well.—*Raleigh Sentinel.*

CONFIRMATIONS BY THE SENATE—POSTMATERS.—John D. White, Greensboro; John Robinson, Goldsboro'; William Eborn, Washington; George Lauder, Fayetteville; J. D. Poisson, Wilmington; Andrew Miller, Raleigh.

For the Journal.

The Rejoinders of Mr. Allen and "The Old North State to the Letter which Appeared in the "Journal" of the 21st inst., on the Power and Authority of the late Convention, briefly Considered and Discussed.

July 28th 1866.

Messrs. Editors:—

I am not surprised that the letter discussing the power and authority of the late Convention to alter or revise the Constitution of the State, which appeared in your paper of the 21st instant, has elicited much comment.—That letter has made a profound impression on the public mind, and the best evidence of its ability is the fact that the able gentlemen who have published replies thereto have, it must be conceded, failed to weaken, in any perceptible degree, the reasoning by which its positions are fortified and sustained.

The argument of the letter on the proposed change in the basis of representation is, it must be admitted, admirable. This position is fortunate enough to be approved by Mr. Allen. *The Old North State* does not attempt to meet it, contenting itself with a reference to its views on that question heretofore expressed. Mr. Hanes is a good strategist as well as an able writer, and recogizes the force of the old adage, "discretion is the better part of valor." Neither he, nor any other man can, upon general principles, successfully answer the reasoning of the letter on the "basis question."

But the letter deserves especial consideration as a profound constitutional argument; and it may not be amiss to restate the propositions therein submitted. They appear to me to be as follows:

First. That the Convention was not a legitimate Convention, and had no power to make a new Constitution, or to alter or amend that which we had and have.

Secondly. That as the Convention had no legitimate existence, its acts cannot be rendered valid by popular sanction.

Thirdly. Admitting that the President of the United States had the power legitimately to call a Convention of the people of the State, still, as the Convention so called by him was limited to the consideration of certain subjects, it had authority to consider such subjects only; it was a *limited* and not an *unlimited* Convention, and every attempt thereof to exercise powers not conferred upon it is null and void.

I propose principally to consider the third proposition. The *North State* lays down the premiss: "If it was a valid Convention for any purpose, then it was valid to all intents and purposes." A more erroneous proposition than this, or one less logical could not be submitted to public consideration. It is clear to any capacity, that the Convention may have been valid for the purposes for which it was called, and without any authority to consider any thing whatever not embraced therein. The Convention of 1835 was limitted by act of the General Assembly to the consideration of the subjects in said act specified.—Will Mr. Hanes pretend to say that if it had proceeded to consider subjects not specified in said act, its action would have been binding? The words of Judge Gaston are precisely in point, to-wit: "Such a Convention as is proposed in the act of Assembly, and no other has been called; and therefore that act, so sanctioned, must be regarded as our power of attorney. If we transcend the limits, or refuse obedience to the conditions therein provided, we are not the Convention called by the people, *but a self-constited body.* In that Convention the very question was mooted, whether, if it should transcend its limits, its action could be rendered valid by the sanction of a popular majority. The enquiry was not pursued, it was not necessary to pursue it, for that body was too patriotic to arrogate to itself power not conferred upon it. But Judge Gaston clearly intimates, that, acting "as individuals at the polls," the people could not render valid any such assumption of power.

The late Convention was called by the Provisional Governor under the instructions of the President. The proclamations of both clearly defined the purpose for which the Convention was called. The delegates were elected to effect, or consider, that purpose, and no other. If it should be alleged that the call was sanctioned by the people, it must be admitted, to use the words of Judge Gaston, that it was "*sanctioned precisely as it was proposed.*" And when the Convention transcended its limits, it was no longer a "Convention called by the people, but a *self-constituted body*" with no authority derived from any source, either from the President, the Provisional Governor, the people, or the Constitution of the State. In the words of your correspondent, such exercise of power is a "pretension without parallel or precedent until the present term of Radical assumption of power in a dominant military or numerical majority, without respect for rights or the Constitution. As far as they safely can, and whenever they can, the people ought to resist that pretension."

The question arises, "What limits, if any, were prescribed in the proclamations calling the Convention?" By the proclamation of June 15th, 1865, the President appointed William W. Holden Provisional Governor of North Carolina, "whose duty it shall be" to prescribe rules, &c., for "convening a Convention," the delegates to be chosen by the "loyal" people of the State, "for the purpose of altering or amending the Constitution thereof, and with authority to exercise, within the limits of said State, all the powers necessary and proper to enable such loyal people of the State of North Carolina to restore said State to its constitutional relations to the Federal Government." No one will pretend that the President had any authority, under the clause of the Federal Constitution which guarantees to each State "a republican form of government" to call a Convention to regulate the whole internal affairs of the State, but only to take such action as would restore the State to its "constitutional relations to the Federal Government." In the proclamation of the Provisional Governor, issued August 8th, 1865, calling the Convention, the purpose declared is, "that said State may be restored to its relations to the Federal Government." Now, by the "Peace Proclamation" of the President issued in April last, I think the State is declared to be "restored to her constitutional relations to the Federal Government." The Convention had effected the purpose, and the only purpose for which it had been called, and for which the delegates thereto had been elected, its authority was at an end, and all that it afterwards did was the action of "a self-constituted body." Well may your correspondent, of 21st inst., ask, "How *dare* they, then, go on to frame a Constitution, a law, for all time, which is to be binding on those who elected them for other ends, and also on that large portion of the patriots and heroes, "unpardoned rebels" who were not allowed to vote at all."

I do not admit and Mr. Hanes is mistaken in supposing the writer of the letter so much commented on, admits, that the call of the Convention was valid for *any purpose*. The argument simply is, that, conceding that call to be legitimate, the action of the Convention must be confined to the purposes therein specified, and every thing done by it beyond the power conferred on it, is null and void. Let those who held that the acts of the Convention, beyond the scope of the power conferred on it, are valid, make known to the people "*from what source the authority to pass such acts, was derived!*"

It is not necessary to discuss the first proposition, for whether the Convention was legitimate for any purpose, or only for the purpose for which it was called, we arrive practically at the same result. It is admitted that the terms upon which Mr. Johnson insisted, as a basis of restoration to the Union, have been conceded, or exacted, beyond the power of re-call or revocation. But he is a poor student of Constitutional history, who refers this action to any legitimate proceedings had under the fundamental law of the State, or of the United States.

But whether the Convention was illegitimate in its conception and formation, or whether it simply exceeded its powers, the second proposition, in either view, is impregnable to assault. The popular sanction cannot render valid any action of the Convention which had no legitimate basis, either from the fact that it was illegally called, or that it exceeded the powers conferred on it.

The President of the United States, the late Convention, and Mr. Hanes, all emphatically concur in the doctrine, that the moment the State was restored to her "Constitutional relations to the Federal Government," the Constitution of the State which was in being at and immediately before the adoption of the ordinance of secession, May 20th, 1861, except in so far as the same had been modified by the Convention under the call of the President, sprung back into full power and governing force. The President had no further use for the Convention, it had served his purpose, and he, in effect, dismissed it. It continued to act no longer under his orders; it must then have continued its existence under the Constitution of the State, or it must have continued as a "self-constituted body." If it continued as a self-constituted body, which in fact it really did, the argument that its acts may be rendered valid by the popular sanction, scarcely rises above the dignity of contempt. Such an argument is simply to hold, that although the people have bound themselves by their fundamental law, to a certain and precise mode of amending the same, they may at any time, amend the same law, in an another and different mode. The people having prescribed a mode of amending their fundamental law can amend it only in the mode so prescribed. This is the doctrine enunciated in the "second proposition, and is sustained precisely to the letter," by the "Dorr case." The Constitution of Rhode Island being in full force, the people of that State called a Convention contrary to the provisions thereof, and sanctioned the Constitution adopted thereby, by a majority of the popular vote. I write from memory only, as I have not the history of the proceedings by me. The Supreme Court of the United States held, as quoted by Mr. Hanes, that "the people of a State cannot *by their own direct vote*, abrogate or make a Constitution without the previous sanction of authority in power, under the existing Government." The Constitution of North Carolina was, it is conceded, in full force when the Convention, wholly unauthorized thereby, proceeded to amend and revise the same, the people cannot, therefore, "by their own direct vote" render those amendments valid, because they want "the previous sanction of authority under the existing Government." The "Dorr case" is then precisely in point, sustains the proposition in every respect, and it is incomprehensible to me how Mr. Hanes, with his views, can say otherwise.

The historical references of Mr. Hanes are entirely inapplicable, as may be seen by any reader who will consult chapter 2d, entitled "Of the Parliament," vol. 1st, Black. Com. No parallel can be drawn between the state of things with us, and the state of affairs in England under Charles the 2d and William the 3rd. Blackstone says that each case, referred to by Mr. Haynes, worked a *revolution* in the government. The accession of William the third to the throne was a complete revolution, and is always referred to in history as "The Revolution of 1688," and even then, it was regarded as necessary to pass what is called "healing acts," to render valid the acts of the Parliament referred to. And "it was at that time a great doubt among the lawyers whether even this healing act made it a good Parliament." But the most complete answer to those references is to be found in the fact, that here there was no revolution, that the States still preserved their character as States, with their Constitution and laws in full force, and that, with us, the said Constitution and laws were in *active existence*, as admitted by Mr. Hanes himself, when the Convention attempted to enact certain alterations and amendments in the fundamental law, in a mode at variance therewith and totally unauthorized thereby.

If I am correct in my positions thus far, then I submit, that the views of Mr. Allen are thereby completely met. Whether the President called the Convention by virtue of his military authority, or under the fourth article of the Constitution of the United States, which guarantees to each State a republican form of government, is all the same for the purposes of my argument; for the question is not on this point by what power, or under what authority he called it, but whether the Convention exceeded the powers conferred on it in that call. That it did do this has been proved to a demonstration.

But Mr. Allen admits, that if the "Anti-secession ordinance, as it passed the Convention, is true," the proposition that the Convention was not legitimate, and had no power to make a Constitution "has much force." The gist of Mr. Allen's argument is, that the "Anti-secession ordinance" is not true, and that, in fact, Mr. Johnson, in calling the Convention, exercised only the power of a conqueror, and his call was, therefore, legitimate. This is the argument analyzed. A sufficient answer thereto, it needs no other, is the fact, that the President and the Convention ignore the argument and, insist on the very contrary, to wit: that the State was remitted to all rights under the Constitution and laws, the moment her Constitutional relations to the Federal Government were restored. There is no necessity then to attempt an answer to objections which, for the purposes of this argument, must be regarded as definitely settled.

But says Mr. Hanes, "it," the Revised Constitution, "gives the Western people all that they have any right to claim, and certainly as much as they will ever get from any other Convention." This, after all is, "the milk in the cocoa nut." The Western people get "all that they have any right to claim," and, therefore, they should vote for the Constitution *per fas aut nefas*. This is not precisely the language of Mr. Hanes, but it is, in fact, the analysis of his last paragraph. His *assurance* that the Constitution "was made by competent authority," is an evidence, to say the least, that he is on very good terms with himself, and I suppose the question must henceforth be regarded as settled by the Western people, to whom the language is addressed. But this will not satisfy the consciences of men—each man ought to act and think for himself, according to the lights before him, with a due sense of his responsibility to God and his country. The whole action of the Convention, during its last session, and for the greater part of its first, was, in my opinion, a gross assumption, at variance with the fundamental law of the land, and subversive of the rights of the people as in that law set forth and declared. He who votes to sustain that Convention because he approves of, or may be benefitted by its enactments, sells his birthright for "a mess of pottage;" sanctions the doctrine, that an unauthorized body may change the fundamental law of the land at its mere will and pleasure, and aids in forging fetters for himself and his posterity.

A CITIZEN.

We cheerfully insert the following touching, soul-stirring APPEAL, in behalf of the object contemplated by the Ladies' Memorial Association of this city. The devotion of those noble hearts to the object undertaken, will meet with the warm approbation and support of all who desire to preserve the last resting places of our dead from neglect.

The work which lies before the Association is no light task. It is one which will require an expenditure of both time and money. As will be seen by the appeal, they not only propose to preserve the memory of those buried in our own Cemetery—sons of almost every Southern State—but are actuated with a desire to remove the remains of those of Wilmington's sons, who sleep their last sleep upon the many battle fields of the South, and place them within the hallowed precincts of our own beautiful City of the Dead, where loving hearts, and tender hands may place the victor's chaplet above the heads of those who preferred to die in the cause of freedom rather than submit tamely to oppression.

May their work of love prosper, and bring with it its own reward, is our earnest prayer:

An Appeal.

The "Ladies' Memorial Association of the City of Wilmington," having been permanently organized, it is desired to raise funds for the preservation of the graves of our noble Confederate soldiers who sleep in Oakdale Cemetery, Hitherto, many obstacles have intervened to prevent the ladies from engaging in this holy work—so imperatively demanded by every emotion of gratitude and love—not the least of which was the impoverished state in which our people were left by the result of the late war. Never, for a single moment, have they wavered in their devotion to the brave men who sacrificed their lives in their defense; and now that the movement has been inaugurated, (though met on the threshold with many difficulties) they have resolved that their efforts shall never cease until the grave of every Confederate soldier in Oakdale Cemetery is properly cared for, and placed in a condition that would be grateful to the feelings of the tenderest mother or sister. But to do this requires means which are not at the disposal of the Association, and they are constrained to appeal to those citizens of Wilmington whose sympathies are enlisted in this noble work, to furnish such pecuniary aid as will enable them to carry out their designs. The ladies of the Association would most respectfully and earnestly solicit contributions from those whose means are ample, while they hope the "mite" of the poor will not be withheld from this labor of love. All, all will be thankfully received, and faithfully applied to the object contemplated.

The record of the sons of Wilmington during the late war is an imperishable one! From Bethel to Bentonsville they have borne aloft the noble escutcheon of our State, through the din and carnage of a hundred battle fields, without once permitting it to trail in the dust, or become sullied with a single act of cowardice. And while the gallant dead from other States, who find a resing place among us, should not be forgotten or neglected, it is peculiarly fitting that Wilmington should gather to her bosom her own brave sons, whose mortal remains were scattered like Autumn leaves on the victorious battle fields of the South, and deposit them in the beautiful receptacle, prepared by loving hands, in Oakdale Cemetery, where each returning Spring will find them decked with Flora's fairest, richest offerings—perfumed with the rare incense of sighs exhaled from grateful hearts, and bedewed with tears of sorrowing affection.

Steps have been taken to procure the record of the names of every Confederate soldier buried in Oakdale Cemetery, which record will be carefully preserved.

A meeting will be held by the Ladies of the Association, at the City Hall, to-day (Wednesday) at five o'clock, P. M., and all the Ladies in the city who feel an interest in the object contemplated are earnestly requested to attend. Contributions may be sent to any of the officers of the Association, or handed to the Editors of the city papers, who will confer a favor by receiving and forwarding to the Treasurer any donations that may be presented.

MRS. J. E. OAKLEY,
President of the "Ladies Memorial Association."

I. O. O. F.—The Grand Lodge of Odd Fellows has been in session at Greensboro'. Deputy G. M. Edwards, of Lincolnton, presides. The *Patriot* mentions the following new officers as having been elected, viz:

Past Grand, Levi M. Scott, M. W. P. Master.

Past Grand, John Wilson, Deputy Grand Master.

Past Grand, C. L. Parker, Grand Warden.

Past Grand, James L. Gulick, Grand Secretary.

Past Grand Master, John Sloan, Grand Treasurer.

Col. W. J. Hoke, of Lincolnton, has been elected Grand Representative to the Grand Lodge of the United States for the next two years from this State.

MASONIC.—At a regular Convocation of Charlotte Chapter, No. 39, R. A. M., held on the evening of the 27th inst., the following Companions were elected officers for the ensuing year:

M. L. Wriston, H. P.; Samuel Taylor, K.; Dr. J. M. Miller, S.; Thos. W. Dewey, C C. of the H.; Edward Fullings, P S.; C W Alexander, R A C.; S. M. Wittkowsky, G M of 3rd V.; C. H. Elms, G M of 2nd V.; S. L. Riddle, G M of 1st V.; J. W. Wadsworth, Treasurer; J. Russler, Secr'y; Jacob Coldiron, G.

EDGECOMBE CROPS.—There is little doubt that our county, Edgecombe, will produce nearly as much cotton and corn this season as it ever did. This is due to the energy of our planters, and the manner in which our freedmen have fulfilled their contracts. We will have plenty of money this fall, and any qu

STATE NEWS.

PARDONS.—Warrants of pardons have been received at the Executive Office for the following persons, who can obtain them by personal application, or through Attorney with written authority. Blank certificates of acceptance accompany the pardons, which must be filled up, signed, and returned to the Secretary of State, Washington. The oath of amnesty should be re-taken, and a regularly authenticated copy thereof forwarded with the acceptance :

Armance.—Wesley S Cobb.
Alleghany.—Horatio S Rives, and Nathan Weaver.
Anson.—George W Martin, R H Bevers, Joel E Horn, [illegible] Simmons, and W G Meacham.
Ashe.—Samuel C Waugh, David Worth, and Nathan H [illegible].
Beaufort.—Edward G Clark.
Bertie.—Wm W Anders and Jas M White.
Buncombe.—George C Alexander.
Burke.—Joseph Isod.
Caswell.—Thos H Robinson, J W Mehaffey, Christopher Melchor, John B Moss, Alexander Foil, James N Brown, and Laird Alexander.
Catawba.—J H Abernathy.
Carteret.—R S Walker.
Cumberland.—J M Motley, Azariah Graves, Alexander M Fuller, James Malone, G J Farish, James K Lea, Thomas Seade, Sr, Daniel S Price, A G Anderson, Thomas C Dodson, Wm Russell, Thos J Womack, and Stephen Neal.
Chatham.—George Setzer, John W Gabriel, S Fay, John G Bynum, J M Brown, and Joseph Bost.
Chowan.—R N Green, S Edwards, John E Nettles, S P Straughan, Thomas C Womble and Isaac T Brooks.
Cherokee.—R H Small, John W Parish, Thomas Cochran, Jr, and Edward Warren.
Currituck.—N N Thompson, E S E Chambers, John L Gibbs and Gilbraith Dickson.
Camden.—John H Gore, John J C Gore, T S Memary, Henry Mitchell, Neill Methaul, Haynes Lennon, J H Sawyer, Alex Smith, W M Baldwin, Alexander G Smith, John B Stanly, Fred J Simpson, Albert F Powell and Henry C Smith.
Carteret.—James W Carmer.
Cumberland.—George M Williams, James H Pritchett, [illegible] Williams and D McLaughlin.
Columbus.—Levi Beck.
Davie.—W R Sharpe, Albert Sheck, M G Richards, Chas [illegible], John K Williams, and Charles Anderson, Jr.
Duplin.—Allen Warren.
Edgecombe.—Ethelred Green, J B Littlejohn, and Samuel [illegible].
Forsyth.—Eli s Weavill, H R Lehman and H K Thomas.
Franklin.—W W Ginnas, Jas McNair, Benajah Black, W [illegible], Samuel W Craig, John C Randall, Richard [illegible], James H White, and Lawson Wilson.
Granville.—William P Roberts and Wm E Costen.
Gaston.—Benj F Harris, W Puryear, J H Davis, Jas [illegible] B F Cheatham, Richard S Wood, John C Usry, [illegible] Overbey, Samuel W Smith and James R Duty.
Guilford.—S W Ormond and K Corbett.
Granville.—T G Wharton, Augustus L Gilmer and Ann [illegible] Murray.
Halifax.—Wm Fenner, Jas H Parker, John O'Brien, [illegible] W Davis and Jesse Pittard.
Harnett.—Alex Murchison, Alfred Smith, Wm Parker, [illegible] D Ward and L D Cameron.
Hertford.—H C Lee and J C Leatherwood.
Henderson.—R O Blythe, Joel T Freeman, R J Allen, T [illegible] Y Peter Stradley, and V Ripley.
Hertford.—J J Scull, John O Askew, E D Winborne, [illegible] M Trader and James A Riddick.
Iredell.—James K Fisher and Landford A Long.

PARDONS.—Additional warrants of pardons have been received at the Executive Office for the following persons, who can obtain them by personal application, or through Attorney with written authority. Blank certificates of acceptance accompany the pardons, which must be filled up, signed, and returned to the Secretary of State, Washington. The oath of amnesty should be retaken, and a regularly authenticated copy thereof forwarded with the acceptance :

Jones.—Wilford Turner, Silas J Rickert, Henry C Ecks, J R B Adams, W T Gaither, Miles Bready, A P Sharpe, W D Summers, P B Chambers, Azel Deacons and L D [illegible].
Johnston.—John L Potts, Hugh Rodgers, Allen Fisher H M Cook and Dillard A Love.
Johnston.—John W Hodges, Edwin Boykin, J A Williams and Christopher Radford.
Lenoir.—Jesse Lassiter, Alexander Fields, J M Morris, John Wooten and N B Whitfield.
Lincoln.—Jonas W Derr, J A Caldwell and D Schenck.
Macon.—A J Patton and J L Robinson.
Madison.—F T Sawyer, I L Branson and W McElroy.
Mecklenburg.—R C Burgin, J H Brown, Joseph C Newland and [illegible] James M Young.
Mecklenburg.—Arthur Grier, Robert Grier, James W Burrows, A C Williamson and S P Alexander.
Mitchell.—Jere H Green and David Davenport.
Montgomery.—L D Andrews, J W Ewing, James W Ewing, Calvin H Rush, R H Sanders, A H Sanders, Jesse A Sanders and P C Sanders.
Moore.—Edward Garner, Eli N Moffit, Evander McGilvary, Daniel McKenzie, George W Clark, John M F Baker and Thomas Rollins.
Nash.—W J B Harper and B B Williford.
New Hanover.—W H McRary, F D Poisson, Mrs C A Fulton and Wm J Fowler.
Northampton.—Cornelius Lassiter, Andrew J Harrell, John I Wheeler, W W Peebles, E C Worrell, W T Stevenson, Thomas G Tucker and John Sykes.
Onslow.—A J Sheppard, James M Wooten, Hill King, L O Doyle and M D Thomas.
Orange.—W W Allison.
Pasquotank.—Wm H Davis, John Cartwright and Joseph B Shaw.
Perquimans.—Benjamin W Thach, George D Newby and John Felton.
Person.—J M McAden, Thos T Lawson, W W Renn and J W Townsend.
Pitt.—W J Moye, P H Mayo, Jesse Smith, Sam'l Morrill and J L Barnard.
Randolph.—J K Simpson.
Rockingham.—Wm M Cox, James Lambert, Orlando Cox and Malcom Shaw.
Rutherford.—J A Baldwin.
Rowan.—Benj Goodwin, James Gaddy, J T Pope, Hector McNeill, M C McNeill, Sion Alford and John W Alford.
Rockingham.—E F Broadway, jr, Thos L Black, Alves Daniel, A M Holderby, P M Winchester, Drury Smith, Elisha Wade and Jos M Cox.
Rowan.—George P Barrage.
Rutherford.—W Fortune, Jas G Fortune, R J McCrow, James McFarland, L A Mills, W B McEntire, J R Bowman, William Davenport, M O Dickerson and James J Weaver.
Sampson.—W H Faison, A Monk, Blackman Lee and Thomas J Lee.
Stanly.—T H Tomlinson, John O Ross, J R Melton and Henry Shankle.
Surry.—John G Sides, Samuel S Wall, Wm B Carter, A Westmoreland, Robert Wall, Thomas Martin, Lafayette Smith, R H Massey, John W Bitting, Sterling Adams, Wm B Taylor and Christopher C Smith.
Stanly.—Benjamin F Thompson, David H Davis and Jno P Keigh.
Transylvania.—M S Thomas, Wiley P Absher, John C Duckworth, Thomas H Galloway, Joshua Bryan and B F Akins.
Union.—Eli D Richardson, G D Brown and J R Hudson.
Wake.—J E Clements, D K McRae, George T Cooke, A Clements, Geo W Crockett, George Little, J M Harris and James H Cook.
Wilkes.—John S Terrell, John White, Thos W Rowlett and D G Kimbell.
Washington.—W A Hardison, Thos G Larkinton, David Cowther, F F Fagan and A L Chessen.
Wayne.—Wm J Atkinson, John A Lane and Josiah T [illegible].
Wilson.—J W Lunderman, George F McNeill, Jas Callum, E Bloss, W B Transon and E B Phillips.
Yadkin.—Robert Bynum, B M Selby, L D Farmer and [illegible] Greene.
Yancey.—Joseph Williams, John W Nicholson, James M Burgess and W B Madison.
Union Cavalry.—J W Turley.

Names of Confederate Soldiers Buried at the City Cemetery.

1. W W Waldrop, Henderson rifles, November 19th, '61.
2. T W Freeman, Henderson rifles, 35th N C, January 9th, '62.
24. John Pittman, Co I, 3d Mississippi, October 12th, '62.
25. J Bradley, Co B, 35th North Carolina, February 7th, '62.
26. M Holloway, Co B, 34th North Carolina, February 9th, '62.
27. E Berry, Co B, 38th N C, April 3d '62.
28. Name illegible, Moore's Battalion.
29. W Burgess, Moore's Co, April 13th, '62.
30. G Edmonds, William's Co, March 22d, '62.
31. A Ashley, Capehart's Co, March 25th, '62.
32. J Hudson, Williams' Co, March 27th, '62.
33. T Eccleston, Badham's Co, March 29th, '62.
34. W Shelley, Williams' Co, March 24th, '62.
35. N Dean, Crudup's Co, April 3d, '62.
36. W Oder, Capehart's Co, April 3d, '62.
37. A Boyce, Capehart's Co, April 3d, '62.
38. [illegible], private in 11th N C, April, '62.

In addition to the above there are thirty-one unknown graves at the same place.

LIST OF CONFEDERATE SOLDIERS BURIED IN THE GROVE NEAR MR. HENRY MORDECAI'S.

1. Sergt T B Fleming, S C, May 1st, '65.
2. Thos Smith, Co F, 3d N C, May 3d, '65.
3. James Anderson, Co I, 1st S C
4. D O Criswell, Co E, Palmetto Battalion, S C.
5. John Carter, Co D, 20th Ala.
6. E J Goodwin, Co E, Bonaugh's Battalion, Ga.
7. E Dickerson, Co A, 46th Ga, April 27th, '65.
8. 1 C Colins.
9. Eight others, names unknown.

Raleigh Sentinel.

Death of Paroled North Carolinians.

The publication of the accompanying list of deaths and burials of paroled prisoners of war, may relieve the uncertainty of friends and families as to their fate, as well as designate the place of interment. They died on board a U. S. transport between Point Lookout, Md., and Savannah, Ga. :

Private Jas A Moore, Co A, 51st N C, died Oct. 31, 1864, buried at Fortress Monroe.
Private C B Motsowan, Co B, 3d N C, died Oct. 31, 1864, buried at Fortress Monroe.
Private Thos Goodman, Co K, 11th N C, died Nov. 1, 1864, buried at Fort Monroe.
Private Wm Best, Co H, 1st N C, died Nov. 12th, 1864, buried at Port Royal, S C.
Private John Eubank, Co B, 24th N C, died Nov. 2, buried at Fort Monroe.
Private Eli Bastian, Co K, 5th N C, died Nov. 2, 1864, buried at Fort Monroe.
Private Wm R Ford, Co H, 3rd N C, died Nov. 2, 1864, buried at Fort Monroe.
Private Isham Pittman, Co E, 51st N C, died Nov. 2, 1864, buried at Fort Monroe.
Private Heath, Co I, 18th N C, died Nov. 3, 1864, buried at Fort Monroe.
Private Amos Johnson, Co H, 7th N C, died Nov 2, 1864, buried at Fort Monroe.
Private William H Jackson, Co A, 1st N C, died Nov 4, buried at Fortress Monroe.
Private W H Jollie, Co G, 11th N C, died Nov 14, 1864, buried at Port Royal, S C.
Private G R Coffey, Co H, N C, died Nov 6, 1864, buried at Fort Monroe.
Private Daniel Ward, Co G, 51st N C, died Nov 6, 1864, buried at Fort Monroe.
Private J Plum, Co I, 45th N C, died Nov 11, 1864, buried at Port Royal, S C.
Private John Patterson, Co E, 8th N C, died Oct 30, 1864, buried at Fort Monroe.
Private M V Drum, Co F, 32d N C, died Nov 2, 1864, buried at Fort Monroe.
Private Jacob Holder, Co G, 7th N C, died Nov 5, 1864, buried at Fort Monroe.
Brig Isaac Y Thorpe, Co K, 33d N C, died Nov 4, 1864, buried at Fort Monroe.
Sergeant Thomas Green, Co D, 55th N C, died Nov 12, 1864, buried at Fort Monroe.

Case of Jefferson Davis in Congress—The Report on the Subject.

The Committee on the Judiciary, to whom was referred the resolutions of the House of Representatives of April 9th and April 30th, 1866, instructing the committee to inquire into the nature of the evidence implicating Jefferson Davis and others in the assassination of President Lincoln, and also whether any legislation is necessary in order to bring such persons to a speedy and impartial trial, if it should appear that there was probable cause to believe that said persons, or any of them, are guilty of inciting, concerting or procuring the assassination of the late President of the United States, and also whether any legislation is necessary in order to bring said persons to a speedy and impartial trial for the crime of treason, submitted a report to the House on Friday. The report is very long and contains a number of letters and documents belonging to the official records of the late Confederacy, now in possession of the War Department, relating to what was termed the "secret service" of the Confederacy. We take from the Baltimore *Sun* the following summary of the report :

With regard to the trial of Davis, the committee are of the opinion that there are no obstacles to a speedy and impartial trial which can be removed by legislation. The evidence in possession of the committee connecting Jeff. Davis with the assassination of President Lincoln justifies the committee in saying that there is probable cause to believe that he was privy to the measures which led to the commission of the deed, but the investigations which have been made by the War Department and by the committee have not resulted in placing the Government in possession of all the facts in the case. The committee are of the opinion that a further investigation will result in a full development of the whole transaction. The examination of the captured rebel archives, though not complete, has gone far enough to throw light upon the general policy of the rebel authorities, which in many particulars involed a total disregard of international law and the usages of civilized war.

The committee in this connection give a detailed history of the course pursued by the Confederate Government towards slaves found in the ranks of the Union army. Most of this is taken from the published orders of the Rebel War Department.

The summing up of this part of the report, the committee says :"

"The declarations made, and the acts done in pursuance of the declarations, are conclusive proofs of the brutal and malignant feelings by which the leaders of the rebellion were controlled, and rendered it not only possible, but probable, that they would at once engage in projects for the destruction of the chief men of the Republic."

A considerable portion of the report of the committee is devoted to the evidence in the case of C. C. Clay, Jr. Clay's letter to President Johnson, dated November 23d, 1865, is quoted, wherein he denies having been in Canada at the time of the assassination. This the committee say is shown to be a falsehood, according to the evidence before them. They say the falsity of the statement goes far to show that he has some reason for attempting to conceal the fact as to the time when he left Canada, and inasmuch as the statement was made in order to relieve himself from the charge contained in the President's proclamation, it has a strong tendency to connect him of complicity in the deed. A number of letters are produced to show that Clay was in Canada at the time, and also that he was the originator of the various raids on the northern border of the United States. The first allusion in point of time made to the presence of Clay in the South amongall the papers in possession of the government yet examined is a letter dated at Richmond, March 8, 1865, and written by H. L. Clay to C. C. Clay, Jr. The statement of Clay that he has never known any of the persons accused and convicted of participating in the assassination of President Lincoln is shown to be false by the evidence before the committee. Clay, while in Canada, acted under the following commission :

RICHMOND, VIRGINIA, April 21, 1864.—Hon. C. C. Clay, Jr., &c., &c.—Sir : Confiding special trust in your zeal, discretion and patriotism, I hereby direct you to proceed at once to Canada, there to carry out such instructions as you have received from me verbally, in such manner as shall seem most likely to conduce to the furtherance of the interest of the Confederate States of America, which have been entrusted to you.

Very respectfully and truly yours,
JEFFERSON DAVIS.

The committee say it is well established by letters and documents derived from rebel sources that Clay, under this commission was instrumental in organizing and executing, with more or less success, the raids upon the cities and towns along the border, the plans for the introduction of pestilence, the organization of conspiracies to liberate the prisoners confined in Camp Douglas, Chicago, to destroy our commerce on the rivers, lakes and ocean, and finally to thwart and overthrow the Government by inciting a new rebellion in the North. It is also ascertained that Jacob Thompson, Beverly Tucker, George N. Sanders, W. C. Cleary, Bennett H. Young and R. J. Stewart were all employed in Canada as secret agents for the Confederate authorities.

In proof of this, the committee produced a large number of letters, orders and dispatches which passed between these men and the officers of the Confederate Government at Richmond, showing that they were acting directly under its authority, and that they received orders to make the raids and other offensive demonstrations on the Northern borders of the United States.

Testimony taken at the trial of the assassins, together with that taken by the committee, justifies them in the inference that the murder of President Lincoln was procured by the use of money furnished by the Richmond Government. The remarks said to have been made by Davis, on the receipt of the intelligence of the death of President Lincoln, is in harmony with the conversation of his agents, Thompson, Tucker and others, as given by Richard Montgomery, a witness who was before the committee, and also a witness in the trial of the conspirators.

Thompson told Montgomery, in 1864, that he could have the tyrant Lincoln put out of the way at any time. He said he had his friends all over the Northern States, and it required but his nod to have them do anything that he wanted done. Clay is said to have talked in a similar vein about the assassination of Lincoln. The committee says there is substantial harmony between the evidence furnished by the official documents found in the hands of the Rebel authorities and the testimony of the various witnesses brought before the committee, as to the participation of Davis, Thompson, Clay, Cleary and others in the scheme for the assassination of the President.

With reference to the testimony in possession of the bureau of military justice, taken by Judge Holt, and on which President Johnson based his proclamation, the committee makes the following statement :

"When the committee entered upon this investigation, in Agril last, the evidence in the War Department, if accepted as true, was conclusive as to the guilt of Jefferson Davis. The Judge Advocate General had taken the affidavits of several persons who professed to have been in the service of the Rebel Government, and who had been present at an interview between Surratt and Davis and Benjamin.

"Those affidavits were taken by the Judge Advocate General in good faith, and in the full belief that the persons making them were stating that only which was true. The statements made by these witnesses harmonize in every important particular with facts derived from documents and other trustworthy sources. The committee, however, thought it wise to see and examine some of the persons whose affidavits had been taken by Judge Holt. Several of the witnesses, when brought before the committee, retracted entirely the statements which they had made in their affidavits, and declared that their testimony, as given originally, was false in every particular. They failed, however, to state to the committee any inducement or consideration which seemed to the committee a reasonable explanation for the course they have pursued. The committee are, therefore, not at this time able to say, as the result of their investigation, whether the original statements of these witnesses are true or false. But the retraction made by some of them deprives them of all claim to credit, and their statements so far impeach or throw doubt upon the evidence given by other witnesses whose affidavits were taken by Judge Holt, that the committee in the investigation which they have made, and in this report, have disregarded entirely the testimony of all those persons whose standing has been so impeached. On the other hand, the committee have relied very largely upon documents found in the rebel archives, and have in rodnced only the testimony of those persons whose reputation for truth and veracity has not been impeached by any of the investigations that have been made. Nor has it been the purpose of the committee to draw unnatural or forced inferences from the trustworthy testimony which they have examined, but rather to present a truthful statement of facts."

The report concludes with an expression of opinion on the part of the committee that it is the duty of the Executive Department of the Government, for a reasonable time, and by the proper means, to pursue the investigations, for the purpose of ascertaining the truth. If Davis and his associates are innocent of the great crime with which they were charged in the President's proclamation, it is due to them that a thorough investigation should be made, that they may be relieved from the suspicion which now rests upon them. If, on the other hand, they are guilty, it is due to justice, to the country, and to the memory of him who was the victim of a foul conspiracy, that the originators should suffer the just penalty of the law. The committee are therefore, of the opinion that the work of investigation should be further prosecuted.

Another Report of the Case of Jefferson Davis.

On Saturday, Mr. Rogers, of New Jersey, from the minority of the Judiciary Committee of the House of Representatives, made a report on the case of Jefferson Davis. The Washington correspondent of the *Herald* says :

The report declares the charge of complicity made against Mr. Davis is not only absurd, but the mere work of malice and avarice, and claims that the testimony adduced was a chain of flimsy fabrications. And these assertions Mr. Rogers bases upon the testimony of the accomplices Canover and Montgomery. Mr. Rogers believes that the exposition of this plot so invalidates any testimony coming through the hands of Mr. Holt that it renders all belief in the charges against Davis, Clay, Tucker, et al impossible.

The nature of this testimony is best shown by extracts therefrom.

May 8, 1865—Campbell's testimony.—The testimony of this witness, taken by Judge Holt, was read to him in the committee room, and he was asked if it was true, and he replied : No ; it is all false.

"Why did you make it ?"

"I was informed by Mr. Conover that Judge Holt had offered a reward of $100,000 for the capture of Jefferson Davis ; that he had no authority really to do it ; that now that Jefferson Davis was taken, that they had not enough against him to justify them in what they had done ; that Judge Holt wanted to get witnesses to prove that Davis was interested in the assassination of President Lincoln, so as to justify him in paying the $100,000."

Speaking of the woman that had testified in Holt's office to corroborate Conover, Campbell says, at this examination, "Sarah Douglass is not her real name. Her name was Dunham. There was another woman sworn. Her name given was assumed. One was Conover's wife, and the other his sister-in-law. The one that called herself Mrs. Dunham is Conover's wife. Conover's name is Charles Dunham. Conover told me that if I engaged in it it was not going to hurt anybody ; that Jeff. Davis would never be brought to trial ; and that if this evidence got to him he would leave the country. Conover directed me to assume the name of Campbell. There was a person described by that name who was supposed to be implicated in that affair, and I was representing this party. He met Conover, in the first place, by the appointment of Snevel. Snevel said I could make money out of it. Money was my motive. I received $625. I received $100 from Conover and $500 from Judge Holt. I got $150 at Boston and $100 at St. Albans. I went to Canada to hunt up a witness to swear false, who was to represent Lamar. Snevel and Conover together arranged with me to go to Canada. Snevel saw the written evidence I was to swear to after Conover wrote it."

May 24, 1866.—Joseph Snevel sworn ; his right name is William H. Roberts. His deposition before Holt read to him, and signed Joseph Snevel, he stated to be false from beginning to end.—"Conover wrote out the evidence, and I learned it by heart. I made it to make money. I received $375 from Holt and $100 from Conover. I told Conover that I was coming on here to testify to the truth ; that I had not had any rest since I swore to what I did. He said I would be in a worse fix than I was now. This was on last Saturday. He said things would be settled and there would be no further trouble. When the false evidence I was to swear to was read over to me by Conover, Campbell and Conover's brother-in-law (Mr. Anderson) were present. Conover told me he knew what Holt would ask me, and Conover asked me the same questions. I gave this evidence before Holt.

When I was wrong Conover would nod his head. Conover was present when I was sworn by Holt. When Conover would nod, I would then correct it as near as I could. Campbell, Conover and Holt present. Campbell and I rehearsed at the hotel in Washington. Conover said 'I was asked if such a sum would be satisfactory ? I said it would. I can't tell how much I received. Conover was an agent of the government to hunt up evidence.'"

Conover has escaped, as already stated. Mr. Rogers was kept from seeing the evidence in possession of the committee, for selection and arrangement, till 12 o'clock on Friday, the House adjourning on Saturday.

Mr. Rogers closes his report by urging the speedy trial of Mr. Davis, and agrees with the majority of the committee in seeing no need of additional legislation to try Mr. Davis for anything, unless it be the design to try him by *ex post facto* acts of Congress.

Tennessee Politics.

MEMPHIS, July 26.—A large and enthusiastic convention of the conservatives of West Tennessee was held to-day to appoint delegates to the Philadelphia Convention.

The statue of Andrew Jackson was draped with the national flags. Stirring speeches were made by General Phil. Glenn, chairman, Hon. L. C. Haynes, General Chalmers and others.

Resolutions were adopted strongly endorsing the policy of the President, adhering to the Union under the Constitution, and setting forth the inevitable ruin to the country which would follow if the Radicals should succeed in the fall elections.

KNOXVILLE, TENN., July 26.—Colonel Thomas A. R. Nelson presided over the Johnson Convention held at Knoxville to-day, to appoint delegates for the East Tennessee Congressional district to the Philadelphia Convention. He endorsed President Johnson, and denounced the rump Congress as plotting to perpetuate their power by force in case they failed in the fall elections. He cited Mr. Raymond's letter to prove his declaration.—Their resolutions denounced the State Legislature for adopting the Constitutional Amendment, and Congress for seeking to force upon the South negro suffrage and equality.

LATEST NEWS
BY TELEGRAPH.
BY THE OCEAN TELEGRAPH.
TWO DAYS LATER FROM EUROPE.

LIVERPOOL, July 30, 1866.

The sale of cotton to-day were 12,000 bales—market closing firm.

London Money Market.

LONDON, July 30, 1866.

Five-twenties 69. Consols 88¼ for money.

[The New York *Herald* of August first has the following] :

LONDON, July 30, 1866.

At the great Reform meeting held to-day, there was 30,000 present. Resolutions were adopted, declaring that they had no faith in the government. Petitions were read which will be presented to Parliament, demanding an inquiry into the conduct of the Chief of Police.

The procession was immense, and passed off quietly.

The *Tribune's* special says : Peace was certain at Berlin on Saturday. Prussia carries all her points. Austria's Naval victory was much overrated.

The Hyde Park riots and the movements to form exclusive reform leagues, have perilled the Derby Government.

Later from Mexico—The Florida Railroad, &c., &c.

NEW YORK, Aug. 1, 1866.

The *Herald's* City of Mexico correspondence says : The re-organization of Maximillian's army was progressing finely. American citizens were pressing the Consuls for neutrality papers on account of the impending draft.—The attack on Jalappa was going on when this dispatch left.

A company of Capitalists have purchased the Florida Railroad grant, and Engineers are already at work.

The Steamer Malta took out $125,000 and the Africa from Boston took $45 000 in specie for Europe.

Gold to-day, at 12 M., was 149 ; Exchange nominal.—Cotton was quiet and quotations unchanged.

FROM WASHINGTON.

WASHINGTON, D. C., Aug. 1, 1866.

The National Democratic Association last night elected the following regular delegates to the Philadelphia Convention, viz : John E. Morris, Rich'd T. Merrick, Jos. H. Bradley, Sr., and R. T. Swart ; and as alternates, Chas. Alien, Jonah D. Hoover, Richard Wallach, and J. B. Blake

From Harrisburg, Pa.

HARRISBURG, PA., Aug. 1.

The Democratic Soldiers' State Convention assembled this morning. Gen. Switzer, of Alleghany, was appointed temporary Chairman. Credentials were presented from every district in the State. A committee was appointed to select permanent officers.

FROM WASHINGTON.

WASHINGTON, D. C., Aug. 1—6 P. M.

Gen. Eckert to-day tendered his resignation as assistant Secretary of War, to take effect at once, so that he may accept the position of the Eastern Division of the American and Western Union and United States Telegraph lines

Cotton and Spirits of Turpentine, shipped from the South in bond, under the Treasury regulations of October 9th, 1865, are subject to the old rate of tax.

The Markets.

NEW YORK, August 1.—6 P. M.

The market is unchanged—sales of 1,300 bales. Flour is drooping. Wheat is dull, common is from 2 to 4 cents lower. Pork is heavy,—sales at $31 75. Lard is firmer, sales at 18½@20¾. Sugar is dull. Coffee firm but market quiet. Naval Stores steady—spirits turpentine 68@72c. ₱ gallon ; Rosin $3@$9 ₱ bbl. Coupons of '62, 108¼ ; do. '64, 106 ; do. '65, 106 ; Ten-forties 99 ; Treasury 104¼@104. Gold 148.

MARINE NEWS.—Steamers Perritt, from Savannah and Cambria from Charleston, have arrived here.

BALTIMORE, Aug. 1, 1866—6 P. M.

Flour quiet ; new scarce. Grain steady ; receipts light. Provisions firm. Sugars inactive. Coffee tending upward. Whiskeys very dull ; Western $2 25@$2 26.

Alexander H. Stephens on the Philadelphia Convention.

Hon Alexander H. Stephens has sent the following letter to Hon. M. Blair. The letter was marked private, but Mr. Blair believes he is warranted in giving it publicity.

To the Editors of the National Intelligencer :

GENTLEMEN : I beg a place in your columns for the enclosed letter to me from Hon. Alexander H. Stephens. In committing it to the press I am taking a questionable liberty with him, for the letter is marked private, but in the present circumstances of the country, I think it so desirable that the people should know the real temper of the South, that I feel justified in publishing this letter from one who, at the outbreak of the war, was the representative-man of the Union Party of the South, and is the recognized exponent of the Southern sentiment at this moment. President Lincoln had great confidence in Mr. Stephens. He told me repeatedly that he had offered him a seat in the Cabinet, and he retained great regard for him to the last. Yours respectfully,

M. BLAIR.

CRAWFORDSVILLE, GA., July 23, 1866.

Hon. Montgomery Blair, Washington, D. C.:

DEAR SIR : Your letter of the 17th inst. is before me, I thank you heartily for it. No man in the United States did or could more cordially approve and indorse the objects of the proposed Union Convention at Philadelphia, as I understood them, than I did, and yet, from considerations of expediency, I doubted the propriety of me taking active part in it. I was also in doubt, to some extent, whether, with other views on the part of those who made the call, the words were not so phrased in the call as to exclude all who occupied a similar position to my own, and from other considerations as those which had occurred to me.—Your letter relieves me from the last class of doubs; but those of the other class still exist, notwithstanding your strong views to the contrary. Individually, my whole soul is enlisted in the cause of a speedy, full, and perfect restoration of the Government under the Constitution, and its permanency under that Constitution, as it now stands.

There is nothing within my power that I am not willing cheerfully to do to effect and accomplish that end. Indeed, you will excuse me in saying it, but it is the truth, I would be willing to offer up my life itself, if by so doing this great result could be obtained, and peace, union, harmony, prosperity, happiness and constitutional liberty be thereby secured to the millions now living, and the untold millions hereafter to live on this continent. There are many personal embarrassments or difficulties in the way of my going to the Convention. These I alluded to before, but I am resolved to be there if I can. In no event shall it be ever truthfully said of me that I failed to do everything in my power to save the country and its institutions. I did in 1860 exert my efforts to their utmost extent to avoid the late most lamentable war, and to save the Union on constitutional principles without a conflict of arms.

This I did, too, while many of those now so clamorous for what they call the Union cause, were giving encouragement at least to the extreme men at the South, by clearly and decidedly intimating, if not fully expressing, a perfect willingness on their part that the Union might slide if the people of the South so willed it. I was even taunted with endeavoring to hold our people on to a Union that was no longer cared for by leading men of the dominant party at the North. I withstood these taunts, even when I knew, or was informed truly, as I believed, that there was an organized body of men in Savannah to seize the Custom House and Fort Pulaski in case the Senate did not secede. All this I stated to you, and to which you allude in your letter before me ; nor should I have any hesitancy in stating it to the public if any public good could thereby be effected. The public good is my only object. How best to subserve that, consistently with truth, honor and uprightness, is the only question with me. Personal interests have no influence with me whatever, at least I think so, and may be excused for saying so.

Had I been governed by personal feelings I should have had nothing to do with the late trouble, further than entering my earnest protest against them. And had I been governed by personal feeling I should not now be in the situation I am. If the Union shall be restored under the Constitution, as I earnestly desire to see it done, and I am willing to do all I can toward that end, it is my fixed purpose to retire forever from all connection with public affairs, so that, while it would seem that my present efforts are tending to a result in which I have more or less personal interest—that is, admission as a Senator in Congress—yet I assure you I never expect or intend to hold that position long, even if the seat should be awarded to me. Yours truly,

ALEXANDER H. STEPHENS.

THE FALL ELECTIONS.—The first election this fall takes place in Kentucky, but not for members of Congress. Vermont and Maine follow in the early part of September, with Pennsylvania, Ohio and other Western States in October, the elections ending with Maryland, New York and Massachusetts in November.

FURTHER INTERESTING WAR NEWS.
The Austrian Losses.
80,000 TO 100,000 MEN KILLED, WOUNDED AND MISSING.

A correspondent of the London News writes : "According to the gloomy reports of the Vienna papers, the losses of the Austrian army at the battle of Korniggratz considerably exceed all that was ever imagined by the victors. The Austrian journalists frankly confess their army to be in a state of perfect dissolution—an announcement which has taken us wholly by surprise, and is probably as wide of the truth as were their former boastings. The Volksfreund (supposed to be the organ of Cardinal Rauscher) estimates the losses sustained in a ten days' campaign at 100,000 men; while the Neue Presse, a paper which about a fortnight ago looked upon the downfall of Prussia as a certainty, now consoles itself with the hope that of an army formerly given at 300,000 to 400,000 men, 150,000 effectives are left after all, and will probably assemble at Olmutz. Buoyed up, no doubt, by this unexpected intelligence, the Prussians are pursuing their advantage with the utmost ardor. From the energy with which they have resumed the chase and after a day's respite, it seems as though they intended scattering the rear of the Austrian army before it can take refuge in the Moravian fortress.

A PANIC IN VIENNA.

The Vienna correspondent of the *Times*, writing under date of July 9, says :

"The inhabitants of this city are almost beside themselves with fear, as it is now currently reported that the headquarters of the northern army are about to be removed from Brun to the intrenched camp at Florisdorf, near Vienna, but I have reason to believe that the shattered remains of the great Austrian army are being collected at Olmutz, and that its commander will for a time pitch his tent there. It is very evident that the Imperial authorities have lost their presence of mind, and are at a loss how to act towards Prussia and Italy. Count Belcredi, the chief of the police department, and Count Larisch, the minister of finances, are the only members of the cabinet who have energy left, and they display it in a way which must needs increase the discouragement and discontent of the nation. The former effectually silences the local press by expressing a hope that it will not be necessary to place it under martial law, and the latter coolly informs the bank that the state requires from it a loan of 200,000,000 florins, 60,000,000 florins of which must be advanced at once, as the 150,000,000 florins which were borrowed a few weeks ago are already spent. As dismemberment and bankruptcy are now staring Austria in the face, it is no matter of wonder that her people are terribly cast down.

"The Prussians must have suffered very heavy losses at Koniggratz, as they were for many hours exposed to the raking fire of the Austrian artillery."

THE DEMANDS OF PRUSSIA.

The official Staatsanzeiger of Berlin, of July 11th, has the following :

"We are authorized to make the following declaration. Treaties existing between Prussia and Italy render impossible an armistice or the conclusion of peace with Austria without the mutual consent of Italy and Prussia. Italy is therefore unable to accede to Austria's wish for a one-sided peace by accepting Venetia, and thus putting an end to the war. Europe knows that it was no sordid love of conquest that impelled Prussia to go to war. Prussia fights for the highest national aims. She demands for herself guarantees of territorial security, and for Germany the establishment of its unity, embracing at least the majority of the States. Herein Prussia has the support of most of the patriotic princes of Germany. The people of Prussia are sacrificing their blood and treasure, and her sons are inspired by the holiness of the conflict, as were their fathers in 1813.—Everywhere the Prussians give proof that they are fighting not against the people, but against the governments which vainly attempted to incite the former against Prussia. In all parts the feelings of hatred give way to more noble sentiments towards us. The army, sustained by the consciousness of its lofty task, will conquer or die."

DIED,

In the town of Fayetteville, N. C., on the 28th inst., Little JIMMY H., only son of J. L. and L. A. Thornton, aged 5 years and 18 days.

He was loved by all who knew him;
He has gone to his sweet, sweet rest.

Talking low and tenderly
To myself, as mother's will,
Spoke I softly, "God in Heaven,
Keep my darling free from ill.

Wordly gain, and wordly honors
Ask I not for him from thee ;
But from want, and sin and sorrow,
Keep him ever pure and free.

In this town, on the 1st inst, infant child of George and Adelh eid Steenken.

At Galveston, Texas, on the 27th of June, Dr. ALEXANDER S. ASHE, aged 28 years.

Wilmington Wholesale Prices Current.

☞ It should be understood that our quotations generally represent the wholesale price. In filling small orders, higher rates have to be paid.

BEESWAX, ₱ lb.	30	@	32
BEEF CATTLE, ₱ 100 lbs.	8 00	@	10 00
BRICKS, ₱ M.	12 00	@	20 00
BARRELS, Sp'ts Turp., each, 2nd hand	3 25	@	4 00
New	4 00	@	4 50
CANDLES, ₱ lb., Tallow	20	@	25
Adamantine	25	@	28
Sperm	50	@	55
COFFEE, ₱ lb., Java	40	@	45
Laguayra	35	@	38
Rio	25	@	28
St. Domingo	26	@	28
COTTON, ₱ lb., Ord. to Mid'g	30	@	32
Strict Mid'g	00	@	33
COTTON BAGGING, Gunny, ₱ yard	34	@	35
Dundee	28	@	30
Rope, ₱ lb	20	@	21
CORN MEAL, ₱ bushel	1 50	@	1 55
DOMESTICS, Sheeting, ₱ yd	18	@	20
Yarn, ₱ lb	2 30	@	2 40
FEATHERS, ₱ lb	00	@	50
FISH, ₱ bbl., Mac'l, No. 1	00	@	20 00
Mac'l, No. 2	18 00	@	19 00
Mac'l, No. 3	15 00	@	17 00
Her'gs, East.	6 00	@	7 00
Do N. C. roe,	10 00	@	00 00
Do do cut,	9 00	@	00 00
Dry Cod, ₱ lb	8	@	9
FLOUR, ₱ bbl., Family	12 00	@	18 00
Superfine	9 50	@	10 50
Fine	8 50	@	9 00
GLUE, ₱ lb	18	@	20
GUNNY BAGS	35	@	40
GUANO, Peruv

THE WILMINGTON JOURNAL.

WILMINGTON, N. C., JULY 27, 1866.

The District Convention.

We were gratified at the very general attendance at the District Convention held in Goldsboro' on Wednesday last. With the exception of Pitt, Jones and Onslow, all the counties were represented. The utmost harmony and good feeling prevailed. We witnessed gentlemen, belonging to all the parties which have for many years past divided the people of our State, sitting together in a political meeting, for the first time in their lives, moved by a common sentiment of a hearty and honest desire to restore the Federal Union to its former prosperity upon honorable and Constitutional grounds, and united in a unanimous approval of the Federal Administration.

With little or no important diversity of opinion, the proceedings of the Convention were not characterized by the discussions usually attendant upon such assemblages. The selection of delegates was made at the unanimous suggestion of a committee representing each county, and received the approval of the Convention without division upon a *viva voce* vote.

It is useless for us to add our approval of the delegates chosen. Judge Manly and Mr. Wright are known throughout the State as gentlemen of eminence, ability, mature judgment and wise and discreet friends of North Carolina and of the Union. They have neither held political positions of importance, but are distinguished as members of the bar of this State. We are confident that the people of the District will, with great unanimity, endorse the action of their delegates in these appointments. The Convention manifested their earnest desire to secure the services of these gentlemen at Philadelphia by almost a unanimous refusal to appoint alternate delegates, upon the ground that such action might furnish a possible excuse for the non-acceptance of one or both of the gentlemen already elected. So that now, should either or both of the delegates refuse to accept their appointment, the District would be only partially represented or entirely unrepresented, as no authority is vested in any one to fill a vacancy, and the time is entirely too short for the meeting of another Convention, if it was not otherwise impracticable.

The Hon. George Howard, of Edgecombe, was named as the choice of the Convention for one of the delegates for the State at large, to be selected by the district delegates on the 10th of August next, at Raleigh, to which meeting our delegates were requested to attend. We know, from the high estimation in which Judge Howard is held by the two delegates selected from this district, that it would hardly require a request on the part of the Convention to have secured for him their hearty support.

The Gubernatorial Canvass—Gen. Ransom.

We publish elsewhere the letter of Gen. M. W. Ransom declining to be a candidate for Governor. The letter in its tone and sentiments is characteristic of its distinguished author. But few men in the State, either as a citizen or soldier, has such a strong hold on the affections of the people of North Carolina as General Ransom. Even the papers, which have approvingly published the *extraordinary* speech of the Hon. Thomas Settle, denouncing those who adhered to the Confederate cause after *he abandoned it, as murderers*, had no word of bitterness, or even of ill favor, to utter against him or his claims to the high office for which his friends were urging him, during the time his name has been before the public in the attitude of a probable candidate.

Gen. Ransom's entire connection with the Southern movement, from the time he served this State as a Commissioner, in connection with the Hon. D. L. Swain and Colonel John L. Bridgers, to the Provisional Government of the Confederate States, at Montgomery, Ala., until he surrendered his gallant brigade at Appomatox Court House, is one that reflects credit alike upon himself and his native State. He is equally meritorious as a civilian. An able lawyer, and a finished scholar, he is particularly distinguished as one of the most brilliant orators in the State.

The people of North Carolina fully appreciate the good judgment and patriotic feelings which influence him at this time in declining the use of his name as a candidate for Governor. They will agree with him as to the impropriety of dividing our people by a heated political canvass, and the injury that might be caused thereby. The call which has been made upon General Ransom has been of the most flattering character, and the unselfishness and candor which marks his declination, gives the very best evidence of his fitness to fill acceptably and honorably the position to which he has been so highly recommended.

The Crops.

During our recent visit to Goldsboro', we met gentlemen from various portions of this Congressional District, and had with many of them conversations in reference to the condition and prospects of the crops. Our Edgecombe, Wilson and Craven friends gave the most encouraging account of the prospect for a good crop. In these counties, the seasons seem to have been more propitious, especially for the culture of cotton, and we heard rather less complaint in reference to the freedmen. In Edgecombe, so far as we could learn, the prospect throughout the whole county was better than in the others, though our Craven friends were not disposed to regard their's second to any. In Greene, we learn, that there had been too much rain for cotton, causing the weed to grow so rapidly that it had not branched sufficiently. In that county, however, especially in the uplands, the corn was very fine. In Lenoir the crops were promising, and the rains of the last few days being much needed, were most timely, and will do much to forward the crops. We heard more complaint from Carteret than from any other quarter, especially on and near the Sound, where they had suffered exceedingly from the drouth. The gentlemen from that section spoke gloomily of their corn prospects.

There seemed to be much diversity of opinion in Wayne, many contending that from the long continuance of the dry and hot weather, that the crops could not now be benefitted by a change, while others thought the recent rains would bring them up to a good standard. Our own limited observation went to confirm the opinions of the latter. While the cotton was small, the stand was quite good, and the weed looked green and healthy. From Duplin we did not receive as encouraging accounts as we had hoped. We heard of more complaints in reference to the want of industry on the part of freedmen, than from other portions of the district.

We sincerely trust that the rains which we have been blessed with in the last few days will do much to restore the crops in this county. The corn especially has suffered greatly from drouth, and while the rains may be too late to benefit the early crops, we think they must have been very opportune for the later ones.

Ex-P[illegible] and Judge Underwood.

The testimony submitted before the Reconstruction Committee has been published in a large volume by order of Congress, and he who has the patience and courage to wade through it will make many singular and interesting discoveries.

The Philadelphia *Age* gives the following extract from the testimony of John C. Underwood, who has become notorious as the Judge who *packed one jury* in order to find a true bill against ex-President Davis, and on oath acknowledges his ability, though it be a difficult matter, to *pack another in order to convict him*:

Q. Could either Jefferson Davis or Robert E. Lee be convicted of treason in Virginia?

A. Oh, no! unless you had a packed jury.

Q. Could you manage to pack a jury there?

A. I think it would be very difficult, but it could be done. I could pack a jury to convict him.

When we consider that one of the illustrious gentlemen named has already had a bill of indictment for treason found against him before this Judge, and in a few months must appear before him for his life under this finding, the disclosures here made will appal the christian world. Judge Underwood has so frequently disgraced the judicial ermine, and lent himself a willing tool to do the dirty work of unscrupulous partizans, that we are not surprised if he is willing to add to his black record the terrible crime which he unhesitatingly deposes as to his ability to perform.—Nor are we surprised that a party, that has so frequently and so publicly steeped itself in iniquity, in order to continue its lease upon power, would conceive the purpose of trying ex-President Davis by a packed jury, and we appreciate the indifference to infamy, which these men exhibit in thus publishing their murderous idea to the world in an official document. Men who could harbor such an outrage are callous to the natural promptings of less hardened criminals who attempt to hide their infamy from the public.

Their selection of Underwood as the willing tool of their diabolical plan was happily conceived, and we have no doubt he will make good his iniquitous boast. The man who would sell himself for pelf, and not only prove recreant to his section, but wilfully abuse and slander his people and State for the applause of the Radicals and the success of their political schemes, would profane the temples of justice and prostitute his high judicial position at their behests.

We have long felt that it was time that the Government should end this judicial farce and put a stop to this serious mockery of the forms of a trial. The terrible disclosures made by Dr. Craven of the refined cruelties practised towards the distinguished State prisoner has made a deep impression upon the public mind, but after the revelation made in the official document of Congress, in relation to the purposes of the Radicals, and the eager pliantness of their man, if Jefferson Davis is condemned to be hanged—if he be convicted by a jury packed by Underwood—the world will not hold the Government of the United States guiltless of the murder.

A Prophecy.

Daniel Webster, in a public speech delivered at Faneuil Hall, on the 7th of March 1850, made use of the following words:

> If the internal foreities and abolitionists ever get power in their hands, they will override the Constitution, set the Supreme Court at defiance, make laws to suit themselves, lay violent hands on those who differ with them in their opinions, or dare question their infallability and finally bankrupt the country, and deluge it in blood.

A statesman never displayed more political sagacity than is here exhibited, nor was a prophecy ever more truly verified. The Constitution has not only been overridden by the Radicals, but it would hardly be recognized by its authors as the great chart they left by which to steer the ship of State. Not only has the Supreme Court been set at defiance, but the requirements of law and decency have been set aside; laws have been made without regard to the Constitution or the welfare of the country, but to suit the purposes of a corrupt party, and which are a disgrace to the Government; violent hands have been laid on those who differ with them, and have and still are subjecting them to long and illegal imprisonment; and were it not for the interposition of the President, throughout the South, bloody executioners would satiate the appetite of "infernal fanatics" with the lives of the best of our people; the country is bankrupt, and an impoverished people, without a voice in the Government, are ground down by the frequent and enormous demands of the tax-gatherer; they have not only deluged the country in blood, but before old wounds are healed, they threaten to inaugurate a more direful struggle still.

Never, in the history of a Government, has a political party written such a black record. Its entire legislation is characterized by such want of constitutionality and a hostility to the best interests of the Government, that the veto of the President has been evoked to a most unusual degree. Personal honor has not only been prostituted to party purposes, but by the disfranchisement of the better portion of the people of Tennessee, a great State has sold its manhood and sacrificed its honor upon the altar of political degredation, which our law-makers have erected in the country's Capitol.

The tendency of all this has but one solution.—Unless the patriotic men who will assemble in Philadelphia in August next can do something to save the Republic, its ultimate destiny, in the hands of the party which now misgoverns it, is as certain as it is dark.

The Late Convention.—Col. Allen's Letter.

In publishing the letter of Col. Wm. A. Allen, of Duplin, in our issue of the 25th inst., we made a few editorial remarks in relation thereto. Preparing to leave our post for a day or so, we were able to give his letter only a very hasty perusal.—We are now convinced that we did its author injustice in saying that he occupied similar grounds to that assumed by the Committee on Banks and Banking in the last Legislature. Col. Allen does not hold that the *local*, or *municipal law* of a conquered country, as contra-distinguished from its *Constitution*, is discontinued, as was attempted to be shown in that report, but that it continues in force after the conquest and until the new government that may be established, repeals the same. But that the Constitution of a country, being a part of the Government, cannot continue after the destruction of the Government.

This distinction will be readily seen, and we owe it to Col. Allen to make the explanation. We will refer to this matter again in a day or two.

Convention of the Third Congressional District.

At a Convention of the delegates from the different counties of the Third Congressional District convened at Lumberton, on the 25th of July, the following proceedings were had:

On motion of Mr. Boyd, of Montgomery, Thos. A. Norment, Esq. was called to the chair. Messrs. Arch'd Niven, of Anson, and Dan. L. Russell, jr., of Brunswick, were appointed Secretaries. Mr. Russell stated that he was not, properly, authorized to act as a delegate, having no authority from the people of his county; but, upon motion of Mr. Morrissey, all citizens of the District in attendance were invited to take seats as delegates.

Upon a call of the Convention it was found that the following counties were represented: Anson, Montgomery, Richmond, Robeson and Brunswick.

On motion of Mr. Mockery, the call issued by the National Executive Committee for a Union Convention at Philadelphia, was read.

The Convention then proceeded to the election of delegates, which resulted in the choice of the Hon. Thos. S. Ashe, of Anson, and Archibald McLean, Esq., of Cumberland, as delegates, and Messrs. Giles Leitch, of Robeson, and A. A. McKoy, of Sampson, as alternates.

On motion, it was ordered that the proceedings be published.

On motion of Mr. Morrissey, the Convention adjourned.

THOS. A. NORMENT, Chair'n.

ARCH'D NIVEN,
DAN. L. RUSSELL, Jr. } Sec's.

Collecting War Taxes in the South—Is it Allowable!

The Tallahassee *Floridian* advises concert of action for the purpose of testing in the United States Courts, the legitimacy of the Federal taxes levied during the war, and now being collected from the Southern States. It denies the rightfulness of such collections, and rests upon the case of *The United States vs. Rice*, reported in 4th Wheaton. Daniel Webster was defendant's counsel, and Judge Story delivered the unanimous opinion of the Court.

The *Floridian* states the facts as follows. Their application to the case of the Southern tax-payer within the Confederate lines during the war, is palpable:

> In 1814, the United States and Great Britain being at war, the British authorities took possession of the port of Castine, in the State of Maine, and held it until the termination of hostilities, when possession of it was resumed by the United States. While thus held and governed by authority hostile to the United States, goods subject to the payment of revenue taxes under our laws were introduced into said port. They were found there when the United States reoccupied it; and our revenue laws were attempted to be enforced against them by seizure.—A bond for the duties was given by the owners, and it was upon a suit by the Government to collect the bond that the case was made, upon which the decision of the Supreme Court was given. It was contended for the United States that its laws were *properly in force there*, although the place was at the time held by the British forces in hostility to the United States and the laws, therefore, of the latter could not at the time be enforced there; just as the tax collector now claims that the laws of the United States were in 1862 properly in force in Florida, through the latter being held by a hostile power, said laws could not then be enforced *here*. See how Judge Story, speaking not alone for himself, but for Judge Marshall and all the other members of that illustrious beench, disposes of this sophistry:
>
> "We are all of the opinion that the claim for duties cannot be sustained. By the conquest and military occupation of Castine, the enemy acquired that firm possession which enabled him to exercise the fullest rights of sovereignty over that place. The sovereignty of the United States over the territory was suspended, and the laws of the United States could no longer be rightfully enforced there, or be *obligatory upon the inhabitants who remained and submitted to the conquerors*. By the surrender the inhabitants passed under a temporary allegiance of the British government, *and were bound by such laws, and such only*, as it chose to recognize and impose. From the nature of the case, *no other law could be obligatory upon them*, for where there is no *protection or allegiance or sovereignty*, there can be no claim to obedience.—Castine was, therefore, during this period, as far as respected our revenue laws, to be deemed a foreign port, and goods imported into it by the inhabitants were subject to such duties only as the British Government choose to require. Such goods were in no correct sense imported into the United States. The subsequent evacuation by the enemy, and the resumption of authority by the United States, did not, and could not, change the character of the previous transaction."

The Court in conclusion, intimate that the case is too clear to admit of argument—remarking very expressively, "the authorities cited at bar, would, if there were any doubt, be decisive of the question. *But we think it is too clear to require any aid from authority.*"

Election of United States Senators.

The bill which has just passed both Houses of Congress, prescribing the manner in which United States Senators shall hereafter be elected, provides that such election shall take place on the second Tuesday after the organization of the Legislatures of the several States, by a *viva voce* vote in each House. At meridian of the day following, both Houses shall meet in joint session, and if the same person shall have received a majority of the votes of each House, he shall be declared duly elected; but if the same person shall not have received such majority, the joint assemblage shall proceed to choose, by *viva voce*, vote a person for the office of Senator. In case no choice is made on the first day, the joint assemblage shall meet each day during the session until a Senator shall be chosen. Vacancies occurring during the recess of the Legislature shall be filled on the second Tuesday after the commencement of the session; and vacancies occurring during the session shall be filled on the second Tuesday after the Legislature shall have notice of such vacancy.

Delegates from the Sixth Congressional District.

We learn from the Salisbury *Old North State*, that the Convention which assembled in that town on the 24th inst., selected Hon. N. Boyden, of Rowan, and Joseph H. Wilson, Esq., of Mecklenburg, as delegates to represent the 6th Congressional District in the Philadelphia Convention, with the Hon. R. C. Puryear, of Yadkin, and Jas. E. Kerr, of Rowan, as alternates.

Fourth Congressional District.

The Convention for the Fourth District, to select delegates to the Philadelphia Convention, assembled in Raleigh on the 25th inst.

Jones Fuller, Esq., of Franklin, presided, and Major Seaton Gales, of Wake, acted as Secretary. Hons. R. B. Gilliam, of Granville, and A. H. Arrington, of Nash, were selected as the delegates for the District.

BELOW we give an official report of Dr. Thos. F. Wood, Physician of the Small-Pox Hospital, which is complete from October 10th, 1865, to July 7th, 1866. The report will be read with interest, and the ability of Dr. Wood as a physician will be recognized. His success in the treatment of this horrible disease bears testimony of his skill as a practitioner. It will be seen by the following report, that out of the 740 patients (white and black,) admitted, only 122 have died, 117 of Variola, and 5 of Supervening diseases.

We consider this success as very flattering, taking into consideration the character of the disease, and in view of the fact that in most cases, it appeared in its worst form. The Hospital over which Dr. Wood exercised control must have been kept in a cleanly condition; but even at its best we know that the patient cannot meet with that attention he would at home, and while laboring under the influence of a pestilential disease, his life is in jeopardy.

In view of these facts, Dr. Wood, although a young physician, will be acknowledged to have treated the disease in a manner which would have reflected credit upon physicians older in years and in experience.

Report of the City Small-Pox Hospital, from October 10th 1865, to July 7th 1866.

	ADMITTED.				DISCHARG'D.				TRANSFER'D.		DIED.				
	Variola.		Varioloid.		Variola.		Varioloid.		Variola.		Varioloid.		Died of Supervening diseases.		TOTAL.
	Whites.	Blacks.	Whites.	Blacks.	Whites.	Blacks.	Whites.	Blacks.	Whites.	Blacks.	Whites.	Blacks.	Whites.	Blacks.	
	55	520	3	176	32	402	3	176	...	5	...	3	114	...	740

The ratio of deaths was about 16 per centum, exclusive of the five patients who died of supervening diseases.

In one case only did the disease attack the same patient twice, and that in an interval of about six months.

The only plan, which is at all possible, for the prevention of a prevalence of this disease, in the future, is compulsory vaccination and re-vaccination.

THOMAS F. WOOD,
Physician Small Pox Hospital.

MARKET CARTS. The number of Carts and Wagons in market Saturday morning amounted to one hundred and three, including those bringing fish, fowls, &c. This is the greatest number ever known in this market. About a week since we gave the number of Market Carts in town on one day as seventy-eight. As will be seen, there has been an increase since that time of twenty-five.

The enterprise shown by the farmers, and their earnest endeavors to keep the market well supplied with every description of vegetables, fish, &c., is highly commendable, and clearly illustrates the energy of our country citizens. If the people throughout all portions of this distracted country would pay that attention to their crops as shown by our own farmers, and let politics alone, we would have no fears for the prosperity of the nation.

THE GERMAN WAR.

Our Special European Correspondence.

PARIS, 6th July, 1866.

To the Editors of the Journal:

We propose giving you, hereafter, detailed accounts of the progress of the great military movements which are now engrossing public attention the world over, and which in their results may materially derange the *statu quo ante bellum* of monarchical equilibrium in Europe. At present we shall confine ourselves to a cursory glance at the condition of affairs and their immediate bearing upon the parties actively interested in the struggle. Up to a few days ago, dispatches coming from headquarters were so ridiculously contradictory that it was impossible to form any correct idea of the successes or reverses of either army, and from the confused and conflicting statements of the journals, every one was at liberty to adduce conclusions in accordance with his sympathies or preferences. The first of the important battles fought last week in Bohemia was heralded by Austrian telegrams as a defeat to their enemies, while at the same time the Prussian capital celebrated it as a great victory over their s. Later accounts now place the discomfiture of the Austrians beyond all question. The last few days have entirely changed the aspect of affairs, and we know for certain that the Austrian army, beaten in almost every combat, is in full retreat, evacuating Bohemia and making for Moravia. After losing successively, last week, the battles of Gitchin, Skalitz, Nachod, Turnau, Hunnerwasser, Munchengraetz and others, the entire available force, under General Benedek, was concentrated near Pardubitz. The convergent attack of the two Prussian armies of the Oder and Elbe (the one under the Prince Royal and the other under Prince Frederick Charles) was directed against that force and the great fight came off on Tuesday, 3rd July, at Sadowa, between Josephstadt and Konniggratz. This bloody, terrible battle lasted eight hours, and terminated in the route of the whole Austrian army. The total of the disputing forces of this engagement was between five and six hundred thousand men, and the combat was one of the greatest ever delivered in Europe. This victory gives the Prussians possession of Prague and the railways leading therefrom to Munich and Dresden, as also the railway which, by Pardubitz and Brunn, is the great route to Vienna—in fact all Bohemia falls into their power. We cannot yet estimate the fruits of this victory; they will doubtless be manifold and their moral effect incalculable. 'Tis well for Prussia that she has been successful from the very onset of the struggle—the good fortunes of her arms have quelled all disaffection among the populace and united every party in a cordial support of the *Bismarkian* policy, and no less earnest desire to prosecute the war so encouragingly begun.—'Tis known that her people commenced the contest with the greatest possible reluctance. Now, while the rapid and unchecked occupation of many of the German States by Prussian troops, coupled with a series of brilliant victories which have attended her arms, have dispelled this original discontent, on the other hand a bad beginning, a number of reverses would have fostered it, revived the anti-war party, dissipated the breath of popular favor now being enthusiastically bestowed on the promoters and originators of the war, and, perhaps, proved fatal to her cause, her King and his Minister. Whatever our personal prejudices may be, we can but admire the extraordinary energy and celerity with which Prussia has pushed forward her operations, in putting 647,000 men under arms, judiciously distributing that force so as first to take possession of such of the lesser German States as were least favorable or avowedly hostile to her policy, and after to press, attack and beat the enemy on his own territory. The capture of the Hanoverian army, twenty thousand strong, was a master stroke a serious loss to Austria.

Let us again speak of the fights in Bohemia.—The losses sustained by the Austrians in the combats from the 26th to the 30th June are said to be between 30,000 and 40,000 men. In these engagements the Saxon corps, the Kalik brigade, the corps of Clam-Gallas and Gablentz, are declared, by Prussian telegrams, to have been totally dispersed, while several battalions were destroyed even to the last man. The Prussians used a gun of modern invention, manufactured in their country and heretofore but little, if at all, employed in warfare. This weapon is called in French *fusil a aiguille*. Of its construction we know nothing, but learn that its efficacy is something wonderful. Besides doing most murderous execution at the enormous distance of seven or eight hundred yards, the rapidity and ease with which it can be loaded, enabled the Prussians to fire five shots to one of the enemy, thus, sweeping away by a continuous and deadly discharge whole regiments of Austrians before they could come sufficiently near to use the bayonet. It was useless to combat under such disadvantages and the Austrians, after maintaining their ground for a long time, and displaying the utmost bravery, were compelled to retire as best they could. To the superiority of these *fusils a aguille* the Prussians are indebted for the victory, which, after all, was dearly bought since their losses, too, will number by tens of thousands. As yet no reliable account, of the casualties suffered by the belligerents at the battle of Sadowa has appeared, but it may be safely inferred that they were enormous. In four day's fighting last week the two armies lost in killed, wounded and prisoners at least 50,000 men, and as these fights were only preludes to the more important one of the 3rd July, we may look out for a total of the most frightful immensity. The impression which the defeat at Sadowa will produce at Vienna, is impatiently awaited; the defeats of last week caused great emotion in the Austrain capital; the entire population was in the streets vociferously demanding that war, "war to the knife" be continued at any and every cost.—The people were aroused with indignation at the unaccountable slowness of the Federal army, and were urging immediate and vigorous action. We forego all attempt at comment on the various peace rumors now afloat, and also renounce our intention of discussing the Italian question, in order to give the great news of the day, which perhaps will have been made known to you by telegraph before the arrival of this letter.

CESSION OF VENICE TO FRANCE.

The *Moniteur*, official journal of the French Empire came out last evening with the following announcement:

"An important event has just taken place.—"After maintaing the honor of his armies in Italy, "the Emperor of Austria, according to the ideas "expressed by the Emperor Napoleon, in his letter addressed 11th June, to his Minister of Foreign affairs, cedes Venice to the Emperor of the "French, and accepts his mediation to bring about "peace between the belligerents. The Emperor "Napoleon has hastened to respond to this appeal "and has immediately applied to the Kings of "Prussia and Italy, in order to effect an armistice." This news has put all Paris in a jubilee; flags are floating from thousands of windows, the more enthusiastic friends of Italy indulged in the illuminations of their domiciles last evening, *rentes* of all kinds have gone up astonishingly at the Exchange, and a general feeling of confidence and satisfaction prevails in the commercial world.

The Courts of Berlin and Florence have been informed, in the name of the Emperor, of the communications which his Majesty had received from Viena. The basis of the armistice will be discussed to-day, and as these basis will not (according to an *on dit*) prejudge any of the ulterior questions, their acceptation is regarded as pretty certain.

The Courts of London and St. Petersburg have equally received notice of the decisions of the Emperor of Austria. 'Tis thought that France will immediately invite England and Russia to participate in her efforts to give a definite conclusion of peace. Proud Austria has suffered a bitter humiliation, and we cannot believe, after being arranged with Italy, and certain of non-intervention on the part of France, that she will wind up with Prussia in so pacific a manner as many are supposing. Time will tell.

OUR CITY

is being deserted by the Parisian, pleasure-seeking *monde elegant*, and is filling up with foreigners from all parts of the globe. At a soiree in the *Grand Hotel* a few evenings ago, it was said that no less than eleven different languages were spoken by the guests assembled. Americans are multitudinous, and the Southern *element* has been considerably augmented by recent arrivals. So far as respectability, intelligence and *politesse* are concerned, we have a decided advantage over our traveling *brethren* from Yankeedom, and the Parisians are not slow in making this discovery.—Among many ex-Confederate celebrities that we have had the pleasure of meeting lately, we will mention here only the Hon. Jacob Thompson, of Miss., the Hon. Robert Toombs, of Georgia, and General Beauregard. The latter had a private interview with the Emperor, the nature of which we were unable to learn. The French regard the General almost in the light of a compatriot, on account of his French origin. He is now spending a short time in London, where he will doubtless be, as every where in Europe, welcomed and made a "lion" of. Mr. Thompson is well known as a warm-hearted, whole-souled gentleman—he has made many friends in Paris, and will have no cause to regret his sojourn in *la belle ville*. General Toombs, after living several months in Cuba, has but just arrived, and purposes remaining until cured of a bronchial affection from which he is suffering. He, too, will not fail to meet with a cordial reception. The imperial family have not yet left the city in quest of Summer amusement; the Emperor, however, intends soon passing a few weeks at Vichy. It was believed that the German war would prevent the taking place of the Universal Exhibition in 1867, but an official announcement states that it shall surely take place, in spite of every obstacle. The works of the building are going bravely on, and will, in all probability, be completed in time.

GENERAL ITEMS.

The second revolutionary outbreak occuring this year in Spain, has been suppressed, and news from that quarter represent order and tranquility again restored. Many of the captured insurgents have been executed, and others are experiencing all the rigors of Spanish imprisonment, in awaiting their judgment. General Prim, who was sojourning in Parris, set out for Catalonia on the first tidings of the commencement of the insurrection, and has been there waiting to place himself at the head of the movement so soon as it should assume sufficient proportions. He will again be forced to save himself by flight from the country.

Lord Derby is having the greatest difficulty in forming the British Ministry. Several to whom portfolios were tendered, have declined the honor, and Lord Clarendon refuses to remain longer in the Foreign Office. 'Tis now announced that the new ministy will be entirely *tory*, and the following persons are mentioned as designated for the several posts: Lord Stanly, Chief of Foreign Office; Mr. Disraeli, Chancellor of Exchequer; Lord Chelmsford, Lord Chancellor; Mr. Henley, Portfolio of Interior; Sir Robert Peel, Portfolio of War; and Stafford Northcote, that of Commerce. The nominations take place to-day. A meeting of ten thousand reformists was held last Monday in Trafalgar square. Discourses were pronounced in favor of Gladstone and reform; the utmost enthusiasm prevailed, not however, to the detriment of public order. Any interference on the part of the police would probably have produced a riot.

The cholera has made its appearance at Amiens, in France, and is at this moment making numerous victims. On Wednesday last, the Empress, obedient to the impulses of her noble and generous heart, and regardless of every danger, left Paris accompanied by a *dame d'honneur* and visited the unfortunate sufferers in the hospitals of that city. With her own fair hands and kind words of christian encouragement, she ministered to their wants, and afforded them every consolation in her power. We cannot too highly extol this laudable and courageous devotion of her Majesty to the welfare of her people, and we feel sure that the heart of every French citizen will be profoundly touched by this heroic action. Her Majesty, though unexpected, was heartily welcomed by the inhabitants of Amiens, and was, on her return to Paris, greeted with enthusiastic demonstrations of appreciation and gratitude by a large crowd collected at the railway station.

The Americans in Paris celebrated the 4th July in a pic-nic, &c., at the *Bois de Boulogne*.

A bientot,

CURRAN.

THE CABINET.

A New Phase in the Resignation Fever—The Secretary of War wishes to Remain.

The correspondent of the New York *Herald*, writing on Sunday, gives the following additional particulars in relation to Cabinet matters in Washington:

THE NEW ATTORNEY GENERAL.

Cabinet matters begin to assume a new phase, according to outside report, and the reformation promised threatens not to be so complete as was at first supposed. The immediate friends of Mr. Stansbury assert that that gentleman predicated his acceptance of the Attorney Generalship upon the restention of Mr. Stanton in the Cabinet, in which he was backed by very strong and influential Western influences.

THE PRESENT WAR SECRETARY.

Stanton, on being applied to, promised, if retained, to come out squarely and unequivocally in support of the President's policy. His instructions to General Thomas refusing military interference in the affairs of the Tennessee Legislature are cited as an evidence of this arrangement. It is also positively promised that a letter will shortly appear from Mr. Stanton in reply to Senator Doolittle's circular endorsing the Philadelphia Convention and all the general features of Mr. Johnson's administration.

WHAT IS SAID ABOUT HIM.

Stanton's enemies assert that this arrangement has been brought about in response to the piteous appeals of the Secretary of War to be retained.—They allege that he is positively afraid to leave the office as yet. I give these statements with the assertion that they are traceable direct to the parties interested.

CABINET DINNER PARTY.

Secretary Seward gave a dinner party last evening to the members and ex-members of the Cabinet. Secretary Harlan only being absent. The gathering was purely social one.

Assault, Attempted Robbery and Stabbing by Highwaymen—Their Pursuit and Capture—They are Released Penitentiary Convicts.

About sunset, Wednesday evening, a bold and desperate attempt at robbery and murder occurred on the Grove road, about one mile and a half from the city limits. An old negro man in the employ of John Johnson, Esq., was returning from Richmond, where he had been to deliver a load of hay, when three men came from the roadside and, jumping into the wagon, demanded money. The negro had none, and proceeded to jump from the wagon, when one of the highwaymen stabbed him dreadfully in the thigh, with a knife, the blade penetrating through and through.

The fellows in the wagon proceeded to drive off, but were pursued by another negro named Adams, in the employ of Channing Robinson, Esq.—They abandoned the wagon and took refuge in a dense thicket of about two acres. The neighbors, alarmed by the shouts of "murder" uttered by the negroes, turned out, and being apprised of what had happened, surrounded the thicket, and sent a messenger to the nearest military encampment for reinforcements, and the commanding officer sent over a squad of twelve men, who entered the thicket, and after a long search succeeded in capturing all three of the robbers. They were taken over to camp in custody of the soldiers, placed in irons and confined in the guardhouse.—Two of the scoundrels were recognized as penitentiary convicts, discharged under the proclamation of the President of the United States.

We presume they will be turned over to the civil courts for trial. We could not learn their names. The condition of the negro stabbed was not considered dangerous.

We have since learned that the accused were yesterday turned over to Justice Wade, of the county, who committed them to jail for an examination. Their names are John Frank, from Savannah, Ga; Richard Darton, Tennessee, and John Ward, Montreal, Canada. They are all released penitentiary convicts, and are a "plug ugly," desperate cut-throat looking trio of villains. Their capture was effected by a detachment of the Eleventh United States infantry.

Richmond Examiner, 25th inst.

A Conversation with President Johnson.

We find the following article in the Boston *Commercial*. It contains some facts for serious consideration among thinking men:

A Gentleman who had a free conversation with President Johnson, a short time since, informs us that he found him hopeful, in good spirits and unhesitating in the expression of his views. He does not anticipate anything like a democratic majority in the next House of Representatives, though the number of representatives of that party will doubtless be considerably increased.—But he does count confidently on the return of a majority of moderate men, who will be prepared to deal with the people of the South as all honorable and high minded nations deal with their antagonists after having beaten and disarmed them. And in districts and States where the republican party fail to nominate such men he thinks democratic candidates will be likely in a majority of cases to be elected over radicals.

The President is unhesitatingly of the opinion that the only safety of the nation lies in a generous and expansive plan of conciliation, and the longer this is delayed the more difficult will it be to bring the North and the South into harmony. If the suspicious, tyrannical policy is too long pursued, the population of the South will become as hostile in time to the North as the people of Ireland are towards England, adding to this evil of hereditary and growing animosity and ability for revenge a hundred fold greater than Ireland possesses.

In regard to the blacks, the President says they will find work enough, and for many years to come probably better renumeration than any other class of agricultural laborers in the country. The competition of capitalists and land-owners will insure good treatment and good pay from the planters. That there will be out no more than there would be at the North were the number of black laborers sufficiently numerous to enter into serious rivalry with the white laborers.

The President is confident that nothing can be safely and permanently done in regard to restoring the currency, diminishing taxation, and establishing the prosperity of the country on a sound and enduring basis until representatives from all the States are present in Congress. The idea of legislating for one-third of the population of the country, and passing constitutional amendments without allowing them any voice in the matter, or paying any attention to their wishes, is full of danger, to the future peace and welfare of the nation. They cannot be treated as a subjugated people or as vassal colonies without a germ of hatred being introduced, which will some day or other, though the time may be distant, develop mischief of the most serious character.

With regard to the basis of representation, he denounces this as a mere bugbear. It cannot and it will not be permanently settled until all the States are represented, and no increase in the number of representatives in consequence of the emancipation of the slaves can in any event occur until the census of 1870 is taken, until which time of course the three-fifths provision is in force under the last census. There is, therefore, ample time to settle this matter between now and 1870, and it is unwise to agitate it until other matters which cannot be delayed are settled.

The President does not admit that he has been inconsistent. He is as much opposed to treason and traitors as ever he was, and for punishing them severely. But there is no treason and no traitors now. The enemy has fully and fairly surrendered and is powerless, and a foe thus situated should be magnanimously treated. A generous and self-reliant warrior always restores his disarmed enemy his sword and trusts his parole of honor.

The idea of muzzling the press and tying the tongues of the people of the South, after the manner of the suspicious tyrants and the Holy Inquisition of the Old World, he denounces as absurd. A people should be allowed to grumble who have suffered so much, and they would be unworthy the name of men if they did not respect the brave officers who have suffered with them, and honorable memory of their gallant dead who sleep on a hundred battle fields around their homes.

The Great Battle of Sadowa—One Hundred Thousand Men Killed and Wounded—Nine Miles of Slaughter—Sickening Scenes.

From the London Times, July 12.

Everything that reaches us confirms the belief that in the Sadowa the Austrian army has been nearly ruined as a military force for the present campaign. The bravery of the men shows forth clearly in every narrative. They held their positions with obstinacy; they advanced against the deadly fire of the needle-gun with all the devotion of the soldier. As long as they preserved a hope of victory, they fought with a spirit worthy of better leaders and a better cause.

Our correspondent, writing three days after the battle, when the confusion was beginning to subside, when the men were finding their way back to their regiments, and regiments, or what was left of them, were again being united into brigades and divisions, gives the loss of the beaten army as probably more than two-fifths of its whole number. "It may be true," he says, "that 80,000 men were killed, wounded, taken prisoners, or drowned, and that 150 guns were taken, abandoned, or thrown into the river on the retreat." Adding to these losses the number of men who must have thrown away their arms in the retreat, we must doubt whether 100,000 effective men were to be found in the Army of the North three days after the battle.

The retreat was, indeed, melancholy and disastrous. As at Leipsic, we hear of pontoons laden with hundreds swept down the river and overturned with their living cargoes—of artillery and horsemen crashing down upon and through the struggling infantry, jamming them into the narrow roads and hustling them over the bridges into the waters. In about all that is most horrible in warfare was concentrated into this contest. A long struggle, lasting the entire day, the mowing down of whole regiments by the firing of the enemy, the burning of villages, the horrible incidents of a flight through an inundated country, and, finally, the long sufferings of the disorganized march that succeeded, form a combination, at which the imagination is shocked and saddened.

It is difficult to bring one's self to believe that such horrors have been enacted in our own time and in a region so near and so familiar. We had heard and read of such fields of slaughter, but they seemed to belong to an age and a state of human character which could never be revived. Nine miles of slaughter, ending with the drowning of a mass of terror-stricken fugitives, are an event which a few years since the wisest would have pronounced impossible in the Europe of to-day. Unless the course of hostilities be stayed, there is reason to fear that Sadowa will not be the last, though it may remain the most deadly of the Austrian battles. The Prussians are flushed with victory, and they know that the army of Bohemia, unaided is in no condition to oppose them. That army must have lost half its guns, and by far the greater part of its military stores. If they have no other foe before them, they may drive it from point to point until they force it to try its fortune in the very suburbs of the capital—perhaps on the fields which the campaign of 1809 made so deplorably famous.

The Prussians have lost no time in following up their victory. They would probably have displayed even greater ardor in the pursuit had it not been for their own heavy losses and the want of provisions from which all armies suffer. It is said that the Prussians fought the battle of Sadowa without having tasted food since 11 o'clock in the forenoon of the day before, and the Generals were loud in their remonstrances against the commissariat. These difficulties, we may assume, still continue. The victualing of so enormous an army is a task almost beyond conception, and insufficiency of supplies means slowness of advance. Bohemia has been already, to a great extent, eaten up by the Austrian army, and the progress of the Prussian legions must be measured by their means of subsistence.

DIED.

At Masonboro' Sound, on Sunday morning, the 22d inst. NATHANIEL MARK, infant son of Thos. H. and Margaret L. Harding, aged one year, ten months and twenty-one days.

In this city, at 1 o'cock yesterday morning, Mr. WILBURN L. TRASK, aged 28 years.